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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10216

EXTENSION OF THE PROVISIONS OF PART I OF EXECUTIVE ORDER NO. 10210[1] OF FEBRUARY 2, 1951, TO THE DEPARTMENT OF AGRICULTURE, THE ATOMIC ENERGY COMMISSION, THE NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS, AND THE GOVERNMENT PRINTING OFFICE

By virtue of the authority vested in me by the First War Powers Act, 1941, as amended by the act of January 12, 1951, entitled "An Act to amend and extend title II of the First War Powers Act, 1941" (Public Law 921, 81st Congress), and as President of the United States and Commander in Chief of the armed forces of the United States, and deeming such action will facilitate the national defense, it is hereby ordered as follows:

The provisions of Part I of Executive Order No. 10210 of February 2, 1951, entitled "Authorizing the Department of Defense and the Department of Commerce to Exercise the Functions and Powers Set Forth in Title II of the First War Powers Act, 1941, as Amended by the Act of January 12, 1951, and Prescribing Regulations for the Exercise of Such Functions and Powers" are hereby extended to the Department of Agriculture, the Atomic Energy Commission, the National Advisory Committee for Aeronautics, and the Government Printing Office, respectively; and, subject to the limitations and regulations contained in such part, and under such regulations as they may severally prescribe, the Secretary of Agriculture, the Atomic Energy Commission, the Chairman of the National Advisory Committee for Aeronautics, and the Public Printer are authorized to perform and exercise, as to their respective agencies, all the functions and authority vested in and granted by the said Part I to the Secretaries named therein; *Provided*, that regulations so prescribed need not be approved by the Secretary of Defense; *And provided further*, that nothing contained herein shall prejudice any other authority which any of the said agencies or the heads thereof may have with respect to procurement.

HARRY S. TRUMAN

THE WHITE HOUSE,
February 23, 1951.

[F. R. Doc. 51-2726; Filed, Feb. 26, 1951; 10:04 a. m.]

[1] 15 F. R. 1049.

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[1061 (51)-1, Supp. 4]

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

SUBPART—1951

Pursuant to the authority vested in the Secretary of Agriculture under sections 7-17 of the Soil Conservation and Domestic Allotment Act, as amended, the 1951 National Agricultural Conservation Program, issued September 6, 1950 (15 F. R. 6109), as amended October 6, 1950 (15 F. R. 6813), October 24, 1950 (15 F. R. 7201), and February 6, 1951 (16 F. R. 1225), is further amended as follows:

Section 701.232 is amended to read as follows:

§ 701.232 *Practice B-4; increasing the total farm acreage of specified biennial and perennial legumes and perennial grasses, or mixtures of these legumes and grasses.* Assistance will be given only for the acreage of all biennial and perennial legumes and perennial grasses for which assistance is offered under this practice in the county, established in excess of the usual acreage of these grasses and legumes for the farm as determined by the county committee. The method of determining the usual acreage shall be included in the State handbook. In determining the acreage established and the usual acreage for a farm in the case of mixtures, only those mixtures which are predominantly of the specified grasses and legumes for the county shall be considered. Where rates of assistance are on an acre basis, the recom-

(Continued on p. 1817)

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

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mended seeding rates, kinds of seeds, and proportions of seeds in a mixture must be set forth in the State handbook. Acreages of these grasses and legumes for which assistance for new seedings is given under another 1951 practice may not be considered in determining the increased acreage eligible for assistance under this practice.

Maximum assistance. 80 percent of the average cost of seed.

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7–17, 49 Stat. 1148, as amended; 16 U. S. C. 590g–590q)

Done at Washington, D. C., this 21st day of February 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51–2665; Filed, Feb. 26, 1951; 8:53 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 993—HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), hereinafter referred to as the "act," and of the marketing agreement and order (7 CFR Part 993) regulating the handling of dried prunes produced in California, hereinafter referred to as the "order," it is hereby found and determined, that the following provisions of the order no longer tend to effectuate the declared policy of the act, in that it has now been determined that the 1950–51 season average price to producers for prunes will be in excess of the price level specified in section 2 (1) of the act: § 993.4 (including the provisions of Exhibit A, which is attached to and made a part of the order) and § 993.5, except to the extent that the provisions of said § 993.5 are necessary for application with respect to the liquidation by the Prune Administrative Committee, the administrative agency for operations under the order, of the 1950–51 substandard prune pool, including the disposition by the committee of substandard prunes which are held by it, or for its account, at the time this suspension action becomes effective, and the final distribution by the committee of the net proceeds of the substandard prune pool. It is hereby further found and determined, that the provisions of the following sections implementing the order no longer tend to effectuate the declared policy of the act for the same reason as that stated in the preceding sentence: §§ 993.104, 993.105, and 993.201 (14 F. R. 6625, 15 F. R. 1888, and 15 F. R. 5534), except to the extent that the provisions of said §§ 993.104, 993.105, and 993.201 of said implementing sections are necessary for application with respect to liquidation by the aforementioned Prune Administrative Committee, of the 1950–51 substandard prune pool, including the disposition by the committee of substandard prunes which are held by it, or for its account, at the time this suspension action becomes effective, and final distribution by the committee of the net proceeds of the substandard prune pool.

It is therefore ordered, That the following provisions of the order be, and they hereby are, suspended on and after publication of this suspension order in the FEDERAL REGISTER: § 993.4 (including the provisions of Exhibit A, which is attached to and made a part of the order) and § 993.5, except to the extent that the provisions of said § 993.5 are necessary for application with respect to the liquidation by the Prune Administrative Committee, the administrative agency for operations under the order, of the 1950–51 substandard prune pool, including the disposition by the committee of substandard prunes which are held by it, or for its account, at the time this suspension action becomes effective, and the final distribution by the committee of the net proceeds of the substandard prune pool. *It is also ordered,* That the provisions of the following sections implementing the order be, and they hereby are, suspended on and after publication of this suspension order in the FEDERAL REGISTER: §§ 993.104, 993.105, and 993.201 (14 F. R. 6625, 15 F. R. 1888, and 15 F. R. 5534), except to the extent that the provisions of said §§ 993.105, 993.104, and 993.201 of said implementing sections are necessary for application with respect to the liquidation by the aforementioned Prune Administrative Committee, of the 1950–51 substandard prune pool, including the disposition by the committee of substandard prunes which are held by it, or for its account, at the time this suspension action becomes effective, and the final distribution by the committee of the net proceeds of the substandard prune pool.

This suspension action shall not be deemed to have any of the following effects with respect to any acts or transactions under the order which took place prior to the time such suspension action became effective: (a) Affect or waive any right, duty, obligation, or liability which arose in connection with any provision of the order or any regulation issued thereunder; (b) release or extinguish any violation of the order or of any regulation issued thereunder; or (c) affect or impair any rights or remedies of the United States of America, the Secretary of Agriculture of the United States, the Prune Administrative Committee, or of any other person with respect to any such right, duty, obligation, or liability under the order or any regulation issued thereunder.

Notice of proposed rule making, public procedure thereon, and publication or service of this suspension order 30 days prior to its effective date (see section 4 of the Administrative Procedure Act; 5 U. S. C. 1001 et seq.) are impracticable, unnecessary, and contrary to the public interest, since it has now been determined that the situation with respect to

prunes is such that suspension action is required by law, and public participation in connection with the taking of such action could accomplish no useful purpose. This suspension action will serve to relieve the persons who are now covered under the order from the restrictions contained therein with respect to their future dealings in prunes, and they will require no advance notice in connection with said suspension action.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 21st day of February 1951, to be effective on and after the date of the publication of this suspension order in the FEDERAL REGISTER.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-2670; Filed, Feb. 26, 1951; 8:53 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

[Docket No. FDC-46]

PART 19—CHEESES; PROCESSED CHEESES; CHEESE FOODS; CHEESE SPREADS, AND RELATED FOOD; DEFINITIONS AND STANDARDS OF IDENTITY

CREAM CHEESE WITH OTHER FOODS AND PASTEURIZED NEUFCHATEL CHEESE SPREAD WITH OTHER FOODS

Correction

In Federal Register Document 51-2334, appearing at page 1632 of the issue for Friday, February 16, 1951, the following corrections are made:

1. In the second line of paragraph (a) of § 19.782, the word "in" should read "is".

2. The headnote of § 19.783 should read: *"Pasteurized neufchatel cheese spread with other foods; identity; label statement of optional ingredients."*

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter I—Home Loan Bank Board, Housing and Home Finance Agency

Subchapter D—Federal Savings and Loan Insurance Corporation

[No. 3995]

PART 163—OPERATIONS

MAINTENANCE OF FEDERAL INSURANCE RESERVE; PAYMENT OF DIVIDENDS WHEN LOSSES CHARGED TO RESERVE

FEBRUARY 21, 1951.

Resolved, that pursuant to Part 108 of the general regulations of the Home Loan Bank Board (24 CFR Part 108) and § 167.1 of the rules and regulations for Insurance of Accounts, notice and public procedure having been duly afforded (16 F. R. 395) §§ 163.13 and 163.14 of the rules and regulations for Insurance of Accounts (24 CFR 163.13, 163.14) are hereby amended to read as hereinafter set forth, effective March 29, 1951.

§ 163.13 *Regular credits.* Each insured institution shall thereafter credit to its Federal insurance reserve, during each of its fiscal years, an amount equal to at least three-tenths of 1 percent of all insured accounts outstanding at the beginning of such fiscal year; and shall build up the Federal insurance reserve to an amount equal to at least 2½ percent of all insured accounts within thirteen years from the effective date of insurance and to an amount equal to at least 5 percent of all insured accounts within twenty years from such date: *Provided*, That credits to the Federal insurance reserve need not be made whenever such insurance reserve account equals or exceeds the minimum amounts required by this section. If for any reason, the Federal insurance reserve account of any institution which has been insured for at least twenty years is thereafter reduced to less than 5 percent of all insured accounts, such institution shall transfer to its Federal insurance reserve account, for each dividend period, at least 25 percent of its net operating income before the declaration of dividends or the payment of interest on savings, until its Federal insurance reserve account is again equal to at least 5 percent of all insured accounts.

§ 163.14 *Charging of losses and payment of dividends.* No insured institution which has charged losses to its Federal insurance reserve account shall declare any dividends or pay any interest on savings unless the amount standing to the credit of such account, after deduction of all charges, is equal to at least the amounts required under § 163.13: *Provided*, That, for any year dividends may be declared or interest on savings paid when losses are charged to such reserve, if the declaration of such dividends or the payment of such interest on savings is first approved by the Corporation: *And provided further*, That the Corporation hereby approves, for any such insured institution which has been insured for a period of twenty years or more and whose Federal insurance reserve account, prior to the charging of such losses, equalled at least 5 percent of all insured accounts, the declaration of dividends and the payment of interest on savings if such insured institution shall have first transferred not less than 25 percent of its net operating income for the same dividend period to its Federal insurance reserve account.

(Sec. 402, 48 Stat. 1256, as amended, Reorg. Plan No. 3 of 1947, 12 F. R. 4981, 3 CFR 1947 Supp., 61 Stat. 954; 12 U. S. C. 1725, 5 U. S. C. 133y-16. Interprets or applies sec. 403, 48 Stat. 1257, as amended; 12 U. S. C. 1726)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 51-2644; Filed, Feb. 26, 1951; 8:48 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5830]

PART 178—PRODUCTION, FORTIFICATION, TAX-PAYMENT, ETC., OF WINES

MISCELLANEOUS AMENDMENTS

Correction

In Federal Register Document 51-2472, appearing at page 1675 of the issue for Saturday, February 17, 1951, the second paragraph of amendatory paragraph 1 should read:

Section 178.143 (a) (2) is amended by adding at the end thereof the sentence "The total solids content of the finished wine shall not exceed 22 grams per 100 cubic centimeters."

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

[1951 Dept. Circ. 655, Supp. 7]

PART 211—DELIVERY OF CHECKS AND WARRANTS TO ADDRESSES OUTSIDE THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS

WITHHOLDING OF DELIVERY OF CHECKS OR WARRANTS

FEBRUARY 19, 1951.

Section 211.3 (a) of Department Circular No. 655, dated March 19, 1941 (31 CFR 211.3 (a)), as amended, is hereby further amended to read as follows:

§ 211.3 *Withholding of delivery of checks or warrants.* (a) The Secretary of the Treasury hereby determines that postal, transportation, or banking facilities in general or local conditions in Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, the Union of Soviet Socialist Republics, the Russian Zone of Occupation of Germany, and the Russian Sector of Occupation of Berlin, Germany are such that there is not a reasonable assurance that a payee in those areas will actually receive checks or warrants drawn against funds of the United States, or agencies or instrumentalities thereof, and be able to negotiate the same for full value.

Except to the extent they have been authorized by appropriate unrevoked licenses, or are authorized by specific license issued by the Department of Justice, Office of Alien Property, remittances by United States Government agencies from any accounts in which a German or Japanese interest existed on or before December 31, 1946, will continue to be restricted by Executive Order No. 8389, as amended, and rules and regulations issued pursuant thereto, including in particular General Ruling 11A, as amended. Attention is directed to the provisions of Public Law No. 622, 79th Congress, 2d Session, which prohib-

its among other things, payments of veterans' benefits to German or Japanese citizens or subjects residing in Germany or Japan. Attention also is directed to the Foreign Assets Control Regulations issued by the Secretary of the Treasury on December 17, 1950, pursuant to Executive Order No. 9193, which prohibit transactions involving payments to nationals of China and North Korea except to the extent that they have been authorized by appropriate license.

(Sec. 5, 54, Stat. 1087; 31 U. S. C. 127)

[SEAL] WM. MCC. MARTIN, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 51-2643; Filed, Feb. 26, 1951; 8:48 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Distribution Order 1, Amdt. 1]

DO 1—FAIR DISTRIBUTION OF LIVESTOCK AND MEAT

SUPPLIERS MUST SELL MEATS TO CERTAIN INSTITUTIONAL USERS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 5 (16 F. R. 1273), this Amendment 1 to Distribution Order 1 (16 F. R. 1273) is hereby issued.

Preamble. Institutions of involuntary confinement and institutions principally engaged in the care and treatment of the sick perform an important public function. It is essential that they be assured of a meat supply sufficient to meet their minimum needs. It has come to the attention of the Director of Price Stabilization that the needs of these institutional users are not being met on a voluntary basis in accordance with the policy of Distribution Order 1.

This amendment, under certain conditions will require a person selling meat, to sell or transfer a certain quantity of meat to institutional users if the institutional user acquired meat during 1950 from that person or any predecessor who then operated the establishment. The meat sold or transferred must be the same, comparable or reasonably substitutable type as the user acquired from the supplier during 1950, and need not be sold or transferred unless the user is willing to acquire such meat at Office of Price Stabilization ceiling prices. Examples of comparable substitutable meat types are given in the amendment.

A person required by this amendment to sell or transfer meat to an institutional user, who refuses to sell or transfer to the institutional user the maximum quantity specified within the time allowed, will be prohibited from selling or transferring any meat until the institutional user acquires that quantity from him within that time. This prohibition is an addition to any action, penalties or proceedings which may be authorized by law for his failure to comply.

Distribution Order 1 is amended by adding the following section:

SEC. 15. *Suppliers must sell meats to certain institutional users.* (a) Any operator of a prison, jail, insane asylum, home for delinquents, or other institutions of involuntary confinement, or a public or private orphanage, or a hospital or other establishment principally engaged in the care and treatment of the sick is an institutional user. Beginning February 27, 1951, an institutional user may, for each month starting with March 1951, give written notice, personally or by registered mail, to each person from whom meat was acquired during the calendar year 1950 (or if that person transferred his establishment, to any successor currently operating the establishment) containing all of the following information:

(1) The amount, quality and types of meat acquired from the supplier during each month of the calendar year 1950;

(2) The percentage that each such monthly amount bears to the total amount of meat acquired each month by the institutional user during 1950;

(3) The estimated number of persons to be fed during the month for which this notice is given;

(4) The number of persons fed during the corresponding month in 1950;

(5) The total amount of meat required by the institutional user for the month in which the statement is made.

(The information in (1) and (2) may be omitted from any subsequent notice pursuant to (a), to the same supplier or successor to whom a previous notice, containing that information, has been given pursuant to (a)).

(b) Each supplier or successor to whom a notice is given pursuant to (a) must, irrespective of any claimed inaccuracy in the notice, sell or transfer to that institutional user, upon such user's request, during the month specified in the notice, the quantity of meat determined under (c) for the current month, to the extent that such supplier or successor has meat available for sale or transfer regardless of any other contract, agreement or commitment (except any meat which he is required to set aside under this section for any other institutional user). Such sale or transfer of meat must be of the same, comparable or reasonably substitutable types as the institutional user acquired from that supplier during 1950. The supplier or successor, however, need not sell or transfer any such meat to the institutional user unless the user is willing to acquire such meat at ceiling prices established by the Office of Price Stabilization.

NOTE: Examples of comparable and reasonably substitutable types of meat are: (1) Steaks, roasts, or chops or any wholesale cuts from which they are obtained; (2) Ground meat or stew meat and the wholesale cuts from which they are obtained; (3) Smoked meats, such as bacon, ham, or picnics; (4) Dry salt meats, such as bellies, jowls, plates, or fatback; (5) Processed meat products, such as canned meats or sausage; (6) Offal, such as livers, hearts, or kidneys; and (7) Miscellaneous items, such as tails, heads, snouts or ears. Substitutions may be made of one item for another within any of these numbered categories but you cannot substitute an item in one numbered category to replace an item in another numbered category.

(c) The quantity of meat which the supplier or successor is required under (b) to sell or transfer to institutional users giving such notice shall be determined in the following way:

(1) Divide the amount of meat sold or transferred to the institutional user by the supplier during the corresponding month in 1950 by the number of persons fed during that month.

(2) Multiply the result in (1) by the estimated number of persons to be fed in the month for which the notice in (a) is given.

(3) The result in (2), or the amount requested by the institutional user, whichever is less, is the quantity of meat which must be sold or transferred to the institutional user during the month specified in the notice.

(d) If the institutional user, during the month covered by the notice has not acquired from the supplier or successor the quantity specified in (c) for that period, the supplier or successor, upon the institutional user's request, must sell or transfer to the institutional user during the first 15 days of the next month, all or any part of the quantity not so acquired by the institutional user.

(e) Any supplier or successor who refuses to sell or transfer meat to an institutional user in the amounts required by this section may not sell or transfer any meat until he has sold or transferred to the institutional user meat in the amount required by this section. This prohibition is in addition to any action, penalties or proceedings which may be authorized by law for his failure to comply.

(f) Each notice given by the institutional user pursuant to (a) shall be deemed a certification to the Office of Price Stabilization as to the information contained in the notice.

(g) Each person to whom a notice is given pursuant to (a) must keep such notice at his establishment.

Effective date. This amendment is effective February 27, 1951.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

FEBRUARY 24, 1951.

[F. R. Doc. 51-2745; Filed, Feb. 27, 1951; 1:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 7]

GCPR, SR 7—PROCESSORS OF MANUFACTURED FEEDS

Pursuant to the Defense Production Act of 1950 (Pub. Law. 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 7 to the General Ceiling Price Regulation (16 F. R. 808) is hereby issued.

APPENDIX

STATEMENT OF CONSIDERATIONS

This supplementary regulation is applicable only to the feed manufacturing

industry and to wholesalers and retailers of manufactured feeds.

1. *Adjustment of ceiling prices.* Section 1 of this supplementary regulation provides for adjustments in ceiling prices for manufactured feeds and these provisions are necessary to resolve certain problems created by Supplement 3 of the General Ceiling Price Regulation, covering soybean meal, and which will arise when regulations are issued establishing specific price ceilings for other ingredients used in manufactured feeds. A major problem is illustrated by the effect on the industry of the establishment, in Supplement 3, of a celing price for soybean meal. When soybeans were on the list of "listed commodities" under Section 11 of General Ceiling Price Regulation, the "parity" adjustment allowed for increases in the price of soybean meal to be reflected in the prices of manufactured feeds. When soybeans were removed from the parity list and placed under Supplementary Regulation No. 3, the prices provided for soybean meal were from eight to ten dollars per ton above the prices paid by feed manufacturers and used by them in determining their ceiling prices under section 11. Section 11 requires that the ceiling prices determined under it for commodities processed in substantial part from a listed commodity, and in effect at the time a commodity is removed from the list, shall remain as the ceiling price. Feed manufacturers, therefore, were forced to absorb the difference between the ceiling price at the time soybeans were removed from the parity list and the higher ceiling price established by Supplementary Regulation No. 3. The feed manufacturing industry uses approximately 80 percent of all the soybean meal produced, some 500,000 tons per month. The industry operates on a large volume basis and the absorption of the possible losses involved would wipe out a large part of the net operating margin of the industry.

Section 1 (a) specifies that a feed manufacturer may use the ceiling price for any ingredient which has a definite ceiling price established unless the reasonable market value is lower, in which case he shall use such value. This conforms with the customary practice of the industry of using market or replacement values for ingredients in determining selling prices for its manufactured products.

It is the long established and customary practice of the industry to determine its selling prices on the basis of market or replacement values rather than "cost." For this there are many reasons. It is an industry of very rapid turnover. Ingredients are constantly being purchased, processed and rapidly disposed of. Selling prices of manufactured feeds are quickly adjusted to market changes of the ingredients, whether up or down. It would be most difficult, if not impossible, to determine the "cost" on which to base selling prices. On the other hand, market values, at any given time, although not exact, can readily be determined within narrow ranges. Market values may vary slightly for different markets and sellers, and each manufacturer, through the exercise of administrative judgment, arrives at his own determination of market or replacement values to him and sets his prices on the basis of such determinations. This supplementary regulation preserves the customary practice of the industry.

2. *Ceiling prices of wholesalers and retailers.* Since the manufacturer is permitted to increase his prices as specified in section 1, the distributor will be allowed to increase his ceiling prices accordingly, as provided for in this section.

3. *Filing of ceiling and ingredient prices and keeping of records.* Compliance with the "notice" requirements of section 11 (f) of General Ceiling Price Regulation is most difficult for the feed manufacturing industry. Each of the 60 or more distinct rations produced by a typical feed manufacturer includes many different ingredients. It is apparent that the number of mathematical computations involved in meeting this "notice" requirement is working great hardship on the industry. Section 3 of this supplementary regulation provides for one filing of ceiling prices of the manufactured feeds and of the ingredient prices used in arriving at such ceiling prices during the base period. The feed manufacturer is of course required to comply with the record keeping provisions of section 16 of General Ceiling Price Regulation.

4. *Definitions.* It is necessary to define "manufacture" and "manufactured feed". In doing so, and in listing the exceptions, the general terms used in the last regulation for the industry under O. P. A. have been followed.

The definition of "reasonable market value" of necessity refers to quotations of commodity exchanges and of suppliers. Both these sources of information are regularly used by feed manufacturers in determining reasonable market values. In the definition, consistency in the use of quotations is required. The manufacturer must keep his records showing that the market value used by him can be substantiated by quotations.

In the judgment of the Director of Price Stabilization the ceiling prices established by this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to parity prices and the other minimum requirements of the law including prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

Although special circumstances have rendered impracticable consultation with formal industry advisory committees, including trade association representatives, the provisions of this supplementary regulation have been presented to, and generally approved by, persons representing substantial segments of the various industries affected.

REGULATORY PROVISIONS

1. Adjustment of ceiling prices.
2. Ceiling prices of wholesalers and retailers.
3. Filing of ceiling and ingredient prices and keeping of records.
4. Definitions.

AUTHORITY: Sections 1 to 4 issued under sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SECTION 1. *Adjustment of ceiling prices.* You may use this supplementary regulation to adjust your ceiling prices only if you are a manufacturer of manufactured feeds as these terms are defined in section 4 below. You may increase your ceiling price per ton, as otherwise determined in the General Price Regulation, for a manufactured feed being priced by you for current sale, by the dollars and cents amount that the total value per ton of the ingredients in that manufactured feed, determined as specified in paragraph (a) below, exceeds the total value per ton of the ingredients in that manufactured feed in your calculation which determined your ceiling price for that manufactured feed in the base period under the General Ceiling Price Regulation. You may round out your ceiling price on the manufactured feed to the nearest 20 cents per ton.

(a) You determine the total value per ton of the ingredients for current sale as follows:

(1) For an ingredient which has a ceiling price established by the General Ceiling Price Regulation, you use such ceiling price, unless the current reasonable market value (as this term is defined in section 4, below) is lower, in which case you shall use such reasonable market value, and

(2) For an ingredient which has a ceiling price established by any supplementary regulation to the General Ceiling Price Regulation, or by a separate ceiling price regulation, you use such ceiling price unless the current reasonable market value (as this term is defined in section 4, below) is lower, in which case you shall use such reasonable market value, and

(3) For an ingredient being priced which has no ceiling price you use the current reasonable market value (as this term is defined in section 4, below).

SEC. 2. *Ceiling prices of wholesalers and retailers.* If you are a seller of manufactured feeds, other than a manufacturer, and your supplier increases his ceiling price in accordance with the provisions of this regulation you may increase your ceiling price by the same amount in dollars and cents as the increase in the ceiling price of your supplier.

SEC. 3. *Filing of ceiling and ingredient prices and keeping of records*—(a) *Filing base period prices.* If you are a manufacturer as defined in section 4 (1) below, you are not required to comply with the filing provisions of section 11 (f) of the General Ceiling Price Regulation, but you must notify the Director of Price Stabilization, Washington 25, D. C., by registered mail, within 30 days of the effective date of this supplementary regulation, by giving the following information:

(1) A list of the manufactured feeds manufactured by you giving the base period ceiling price for each as established by the General Ceiling Price Regulation, and

(2) A list of the ingredients used by you showing the price you used in arriving at your base period ceiling price for each manufactured feed as determined under the General Ceiling Price Regulation.

(b) *Keeping of records.* You must comply with the record provisions of section 16 of the General Ceiling Price Regulation.

SEC. 4. *Definitions.* When used in this regulation the following terms have the following meanings:

(1) *Manufacturer.* "Manufacturer" means, with respect to any lot of manufactured feed, a person who manufactures such feed except when he manufactures it as a service rather than as a sale of a commodity.

(2) *Manufactured feed.* "Manufactured feed" is a mixture or blend of more than one ingredient for the purpose of feeding to animals or poultry, either in the same form or in combinations with other ingredients (including scratch-chick or growing grains consisting entirely of recleaned grains, seeds, grit and shell containing no more than 10 percent of grain flour or screenings that will pass through a No. 20 standard tinned mill wire), except that the following commodities shall not be considered manufactured feeds under this supplementary regulation.

(i) A mixture resulting from the blending or mixing of offals or by-products from a single vegetable, plant or other agricultural product.

(ii) Screenings consisting of a mixture of mill or elevator run materials or a combination of varying amounts of ground or unground materials obtained in the process of cleaning grain or seed, either or both, such as inferior, light or broken grain or seed, weed seeds, hulls, chaff, joints, straw, elevator dust and floor sweepings.

(iii) Foods prepared especially for household pets.

(iv) Mineral mixtures.

(v) Manufactured feeds containing 50 percent or more of milk solids.

(vi) Animal and poultry tonics, condiments and medicants, in which the nitritive value is not substantial.

(vii) Vitamin products which are sold and used for further mixing primarily for their vitamin content and which are required to be labeled with a guaranteed vitamin content in accordance with any Federal or State law or regulation.

(3) *Reasonable market value.* "Reasonable market value" means the price to you, as customarily determined by you, of the ingredient in the appropriate quantity, grade and quality, on the basis of quotations of commodity exchanges or ingredient suppliers, in arriving at the selling prices of your manufactured feeds. The computation by which reasonable market value is determined must be consistent in all respects, including quantity, grade and quality, with the computation used in the calculation which determined the ceiling price for the manufactured feed during the base period. For example, if you determine reasonable market value for one computation on the basis of the closing quotation on a certain commodity exchange you should use the closing quotation on the same exchange as the basis of the other computation. As another example, if you used a carload quantity quotation during the base period you should use a carload quantity quotation for the computation for the current sale. You must keep a record of these prices as determined by you and they must be substantiated by quotations of commodity exchanges or ingredient suppliers. Reasonable market value must not exceed the ceiling price of the ingredient if one is applicable.

Effective date. This supplementary regulation is effective February 27, 1951.

EDWARD F. PHELPS, Jr.,
Acting Director of
Price Stabilization.

FEBRUARY 23, 1951.

[F. R. Doc. 51-2746; Filed, Feb. 26, 1951; 1:00 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-1, as Amended, Feb. 23, 1951]

M-1—IRON AND STEEL

This amendment to order M-1 is found necessary and appropriate to promote the national defense and is issued pursuant to authority granted by section 101 of the Defense Production Act of 1950. In the issuance of this amendment, consultation with industry representatives has been rendered impracticable due to the necessity for immediate action.

This amendment affects NPA Order M-1 as amended January 22, 1951, as follows: It redesignates §§ 20.1 through 20.19 as sections 1 through 19, respectively; the word "part" is changed to "order" throughout; and Table I has been revised. As so amended, NPA Order M-1 reads as follows:

Sec.
1. What this order does.
2. Forms of iron and steel products to which this order applies.
3. Required shipment dates.
4. Rejection of rated orders (lead time).
5. Product limitation for acceptance of rated orders.
6. Conditions for acceptance of rated orders.
7. Changes in lead time.
8. Allotments for further conversion.
9. Extension of ratings for further conversion of steel products.
10. NPA assistance in placing rated orders.
11. Scheduled programs.
12. Minimum orders.
13. Inventories.
14. Application for adjustment or exception.
15. Communications.
16. Reports.
17. Records.
18. Audits and inspection.
19. Violations.

AUTHORITY: Sections 1 to 19 issued under sec. 704, Pub. Law 774, 81st Cong. Interprets or applies sec. 101, Pub. Law 774, 81st Cong., sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; sec. 2, E. O. 10200, 16 F. R. 61.

SECTION 1. *What this order does.* This order applies particularly to producers of iron and steel and provides rules for placing, accepting, and scheduling rated orders for iron and steel. Its purpose is to provide equitable distribution of rated orders among all iron and steel producers of the particular products in order to make possible maximum production and to reduce to a minimum disruption of normal distribution. It makes provision for required acceptance of rated orders based on a percentage of previous shipments, and provides for allotment, and maximum inventories. It supplements NPA Regs. 1 and 2, but only those provisions of Regs. 1 and 2 which are inconsistent with this order are superseded, and all other provisions of those regulations continue to apply to the iron and steel industry.

SEC. 2. *Forms of iron and steel products to which this order applies.* The iron and steel products to which this order applies are set out in Table I at the end of this order. Table I also sets out the lead time (days) and product limitation for acceptance of rated orders. This order also applies to all second quality materials and shearings and material sorted or salvaged from steel scrap and sold for other than remelting purposes.

SEC. 3. *Required shipment dates.* A rated order for iron or steel in any of the forms listed in Column A of Table I must specify shipment on a particular date or in a particular month, which, in no case, may be earlier than required by the person placing the order. The producer of iron or steel must schedule the order for shipment within the requested month as close to the requested shipment date as is practicable considering the need for maximum production.

SEC. 4. *Rejection of rated orders (lead time).* A producer of iron or steel in a form listed in Column A of Table I need not accept a rated order which is received by him less than the number of days (lead time) set forth in Column B of Table I prior to the first day of the month in which shipment is requested, unless specifically directed to accept such order by the National Production Authority.

SEC. 5. *Product limitation for acceptance of rated orders.* Unless specifically directed by NPA, no iron or steel producer shall be required to accept rated orders for shipment from any one producing unit regardless of location in any one month in excess of the percentages set forth in Column C of Table I, of his average monthly shipments of the products listed in said column, as made by him during the period from January 1, 1950, through August 31, 1950. Where no percentage limitation is set forth as to any product, it is expected that the amount of such product to be called for by rated orders will be relatively small.

SEC. 6. *Conditions for acceptance of rated orders.* Unless otherwise specifically directed by the National Production Authority, and subject to the provisions of NPA Reg. 2, each iron or steel producer shall be required to accept rated

orders calling for shipment in any one month from any one of his producing units regardless of location, of products listed in Column A of Table I up to the amount of the percentages listed in Column C of Table I of his average monthly shipments of such products from that producing unit during the period from January 1, 1950, to August 31, 1950. Where no percentage is listed in Column C, in regard to any iron or steel product, each iron or steel producer shall be required to accept all rated orders served upon him, subject to the provisions of NPA Reg. 2, unless otherwise specifically directed by the National Production Authority.

SEC. 7. *Changes in lead time.* (a) If an iron or steel producer would have an open space on his production schedule created by the difference between the lead time of forty-five days as established by this order as originally issued or as subsequently amended, and a longer lead time as established by section 4, he shall continue to accept rated orders to fill such open space on his production schedule, on the basis of a lead time of forty-five days, before he applies the newly established longer lead time. In filling such open space on his production schedule, as above referred to, an iron or steel producer shall be governed by the product limitation percentage appearing in Column C of Table I.

Example: Under the previously established lead time of 45 days, a steel producer would, up to December 17, 1950, accept DO rated orders for shipment in February 1951. Where a lead time has been increased to 120 days, he would, up to January 31, 1951, accept DO rated orders for shipment in June 1951. In the application of this example, the steel producer would continue to accept DO rated orders for shipment in March and April 1951, on a 45-day lead time until he had arrived in any one month at the product limitation percentage of that product as set forth in Column C, of Table I. Thereafter, he would conform to the new lead time of 120 days for shipment in the succeeding months.

(b) In the example in paragraph (a) of this section, if the product limitation percentage under Column C of Table I as to that particular iron or steel product has been increased from 5 percent to 10 percent, the iron or steel producer should accept DO rated orders up to the amount of the new product limitation percentage figure, commencing with shipments for the month of March, 1951, and should continue at that new figure thereafter.

SEC. 8. *Allotments for further conversion.* A steel producer who buys from another steel producer a steel product listed under the heading "Steel Mill Products" in Column A of Table I (herein called "steel mill products"), and by further processing converts, for resale, the purchased steel into another steel mill product is engaged in further conversion. For the purpose of this section, the steel producer who sells a steel mill product for further conversion shall be called a producer supplier and the steel producer engaged in further conversion shall be called a converter. Each producer supplier shall make a monthly allotment of his production of each steel mill product that remains after shipments on DO ratings and NPA directives to each of his converter customers. Such monthly allotment shall be at least equal to that percentage of his available production so remaining, as the producer supplier's shipments to each converter customer bore to his total shipments, during the base period, from January 1, 1950, through September 30, 1950. A producer supplier must accept orders placed by his converter customer up to the limit of his allotment: *Provided, however,* That such orders are placed in accordance with the lead times in Column B of Table I. Shipments under such allotments shall be made in addition to shipments to the same converter customer pursuant to authorized extension of DO ratings. Orders placed under the provisions hereof must be for substantially the same product as was supplied to each such converter during such period, except for minor variations in size and design. In determining the amount of the monthly allotments, adjustments may be made by a producer supplier, with the consent of the converter involved, to provide for any abnormal situations which affect any steel products.

SEC. 9. *Extension of ratings for further conversion of steel products.* All DO ratings extended for the purpose of further conversion of steel products shall have the symbol FC added to the two-digit designation following the prefix DO on the order.

SEC. 10. *NPA assistance in placing rated orders.* Any person who is unable to place a rated order for iron or steel due to the limitations imposed by sections 5 and 6 should apply to the NPA, Iron and Steel Division, Ref.: M–1, specifying the producers who refused to accept the order. The NPA will arrange to assist him in locating other sources of supply.

SEC. 11. *Scheduled programs.* NPA will from time to time approve scheduled programs calling for the production and delivery of iron and steel products for stated purposes, over specified periods of time. Upon approval of major programs of this type, supplements to this order will be issued describing such programs and specifying the manner in which they are to be carried out by the iron and steel industry. Thereafter, directives will be issued to individual concerns establishing schedules for their participation in such programs. Such directives shall be complied with by the recipients in accordance with the terms thereof, unless otherwise directed by NPA.

SEC. 12. *Minimum orders.* The minimum orders that may be placed with DO ratings or under NPA directives are set out in Table II at the end of this order. The minimum quantity for each size and grade of any item for shipment at any time to any one destination is listed opposite the appropriate item. If all other requirements of this order have been met, orders for such minimum quantities shall be accepted.

SEC. 13. *Inventories.* In addition to the provisions of NPA Reg. 1, relating to Inventory Control, it is considered that a more exact requirement applying to users of iron or steel products is necessary. No person obtaining iron or steel products for use in manufacture, processing or construction, may receive or accept delivery of a quantity of iron or steel products if his inventory is, or by such receipt would become, in excess of that necessary to meet his deliveries or supply his services on the basis of his scheduled method and rate of operation pursuant to this order during the succeeding 45-day period, for steel products, gray and malleable iron castings, and 30-day period for pig iron, or in excess of a practicable minimum working inventory (as defined in NPA Reg. 1), whichever is less. For the purpose of this section, iron and steel products listed in Table I in which only minor changes or alterations have been effected shall be included in inventory. NPA Reg. 1 will apply to iron and steel products except as modified by this section. Said 45-day limitation does not apply to persons who order structural steel for use in construction (including buildings, bridges and other structures of a like type) and who order it delivered cut to the specifications required for a specific project and who normally keep such steel segregated for the specific project. Instead, no such person may accept delivery of such steel more than 45 days before it is scheduled to be fabricated or, if it is not to be further fabricated, before it is scheduled to be assembled.

SEC. 14. *Application for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, or because any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or its enforcement against him would not be in the interest of the national defense or in the public interest. In considering requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 15. *Communications.* All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref: M–1.

SEC. 16. *Reports.* Persons subject to this order shall make such records and submit such reports to the NPA as it shall require, subject to the terms of the Federal Reports Act (P. L. 831, 77 Cong., 5 U. S. C. 139–139F). All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. In accordance

with this section all steel producers are required to report on "NPAF–13—Steel Producers' Report of Orders Accepted For DO Ratings and Programs" the orders accepted bearing DO ratings and orders resulting from programs made effective by NPA directives; and on "NPAF–17—Steel Producers' Monthly Report on Shipments and Past Due Orders" the record of the shipments and past due orders by DO ratings and programs made effective by NPA directives.

SEC. 17. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least two years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 18. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the NPA.

SEC. 19. *Violations.* Any person who wilfully violates any provisions of this order or any other order or regulation of NPA or wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

This order as amended shall take effect on February 23, 1951.

NATIONAL PRODUCTION AUTHORITY,
[SEAL] MANLY FLEISCHMANN,
Administrator.

TABLE I—IRON AND STEEL PRODUCTS TO WHICH THIS ORDER APPLIES

Column A	Column B			Column C		
Name of product	Lead times (days)			Product limitation; required acceptance (percentage)		
	Carbon (including low alloy high strength)	Stainless	Full alloy	Carbon (including low alloy high strength)	Stainless	Full alloy
Steel mill products:						
Ingots	45	45	45	5	25	25
Billets, projectile and shell quality	45		45	(1)		(1)
Blooms, slabs, billets (except projectile and shell quality)	45	45	45	[12] 10	[2] 25	[12] 45
Tube rounds	45	45	45	15	[2] 25	60
Sheet bars	45	45	45	5	[2] 25	5
Skelp	45			5		
Wire rods	45	60	45	15		25
Structural shapes (heavy)	45	[3] 120	60	20		
Steel piling	45			15		
Plates—Rolled armor			(1)			(1)
Plates—Other	45	60	45	[4] 15	25	[3] 15
Rails—Standard (over 60 pounds)	45		60	10		
Rails—All other	45		60	10		
Joint bars	45		60	10		
Tie plates	45		60	10		
Track spikes	45		60	10		
Wheels (rolled and forged)	45		60			
Axles	45		60			
Bars—Hot rolled, projectile and shell quality (includes all projectile components such as fuzes, adapters and base plugs)	45		45	(13)		(14)
Bars—Hot rolled, other (including light shapes)	(5)	60	(5)	15	25	45
Bars—Reinforcing	45			20		
Bars—Cold finished	(7)	75	(7)	25	25	40
Bars—Tool steel	(8)		(8)			
Bars—Rounds for piercing						
Standard pipe	45	90		5	25	60
Oil-country goods	45					
Line pipe	45			5		
Mechanical tubing	(9)	90	90	15	25	60
Pressure tubing	(9)	90	90	10	25	25
Wire—Drawn	45	75	60	[10]	25	25
Wire—Nails and staples	45			5		
Wire—Barbed and twisted	45			5		
Wire—Woven wire fence	45			5		
Wire—Bale ties	45			5		
Tin mill black plate	45			5		
Tin- and terne-plate, hot dipped	45			5		
Tin plate, electrolytic	45			5		
Sheets—Hot rolled	45	60	45	17	25	5
Sheets—Cold rolled	45	75	60	15	25	5
Sheets—Galvanized	45			10		
Sheets—All other coated	45			10		
Sheets—Enameling	45			5		
Electrical sheets and strip	45		60	7		7
Strip—Hot rolled	45	60	45	12	25	5
Strip—Cold rolled	45	75	60	12	25	5
Steel castings:						
High alloy, rough as cast (heat and corrosion resisting)	[11] 60	[11] 60	[11] 60		20	20
Carbon and low alloy				20		
Steel products, fabricated:						
Forgings (rough, as forged)	90	90	90	30	20	30
Wire rope and strand						
Welded wire mesh						
Netting						
Iron products:						
Pig iron (not including iron with more than 6 percent silicon)	45					
Malleable casting (rough as cast)	[11] 60			20		
Gray iron, excluding pipes and fittings (rough as cast)	[11] 60			20		

[1] No "product limitation" or "lead time," whichever is applicable. Subject to direct negotiation by NPA if necessary.
[2] Of each item.
[3] Applies to special rolled shapes including angles and channels.
[4] Including alloys.
[5] Including carbon.
[6] If annealed or heat-treated, 60 days; otherwise, 45 days.
[7] If annealed or heat-treated, 90 days; otherwise, 75 days.
[8] If cold finished, 75 days; otherwise, 60 days.
[9] If cold drawn or cold finished, 60 days; otherwise, 45 days.
[10] Wire drawn: Low carbon, 10 percent; high carbon, 15 percent.
[11] Lead times apply to unmachined castings after approval of patterns for production.
[12] Such percentage being the total for any combination of these products.
[13] An amount equal to 35 percent of the tonnage represented by hot rolled carbon bar set aside. This is in addition to tonnage set aside for hot rolled bars.
[14] An amount equal to 35 percent of the tonnage represented by hot rolled alloy bar set aside. This is in addition to tonnage set aside for hot-rolled bars.

TABLE II—MINIMUM ORDERS THAT MAY BE PLACED ON STEEL MILLS, STEEL AND IRON FOUNDRIES, STEEL FORGE SHOPS AND MERCHANT PIG IRON PRODUCERS FOR THE PRODUCTS SPECIFIED

(Special grades, shapes, specifications, processes, and similar factors must be handled by negotiation)

Name of product	Minimum quantity for each size and grade of any item for shipment at any one time to any one destination
STEEL MILL PRODUCTS	
Carbon and low-alloy steel:	
Ingots, blooms, billets, slabs, and tube rounds, sheet bars, skelp, etc., rerolling quality.	25 net tons.
Blooms, billets, and slabs, forging quality	Product of 1 ingot.
Wire rods, hot-rolled	5 net tons.
Structural shapes	5 net tons.
Plates:	
Rolled armor	By negotiation.[1]
Continuous strip mill production	10 net tons.
Sheared, universal, or bar mill production	3 net tons.
Rails	5 net tons.
Track accessories (joint bars, tie plates, track spikes)	5 net tons.
Bars, hot-rolled:	
Projectile and shell quality	Product of 1 heat.[2]
Round bars up to and including 3" and squares, hexagons, half rounds, ovals, etc., of approximately equivalent sectional area.	5 net tons.
Round and square bars over 3" to but not including 8"	15 net tons.
Bar size shapes (angles, tees, channels and zees under 3")	5 net tons.
Bars, cold finished	3 net tons.
Bars, tool steel	500 pounds.
Pipe, published carload minimum (mixed sizes and grades)	
Tubing:	
Seamless cold-drawn (O. D. in inches):	
Up to ¾" inclusive	1,000 feet.
Over ¾" to 1½" inclusive	800 feet.
Over 1½" to 3" inclusive	600 feet.
Over 3" to 6" inclusive	400 feet.
Over 6"	250 feet.
Seamless hot-rolled	By negotiation.[1]
Welded	By negotiation.[1]
Wire rods. (See above.)	
Wire, drawn, for further fabrication and manufacturing:	
Low-carbon	1 net ton.
High-carbon (0.40 carbon and higher):	
0.0475" and heavier	1 net ton.
Under 0.0475" to 0.021" inclusive	1,000 pounds.
Under 0.021"	500 pounds.
Wire merchant trade products, assorted	5 net tons.
Tin mill products—any 1 gauge	5,000 pounds.
Sheet, hot- and cold-rolled	5 net tons.
Strip, hot- and cold-rolled	3 net tons.
Stainless steel: No minimum on standard grades and sizes. For unusual grades or sizes the minimum order is to be worked out by negotiation.[1]	
Full alloy steel:	
Ingots	Product of 1 heat.[2]
Billet, projectile and shell quality	By negotiation.[1]
STEEL MILL PRODUCTS—continued	
Full alloy steel—Continued	
Blooms, slabs, billets (except projectile and shell quality) tube rounds, sheet bars, etc.:	
7" square (or equivalent cross sectional area) and under	5 net tons.
Larger than 7" square (or equivalent cross sectional area)	10 net tons.
Both of the above may be modified because of a mill's ingot size and/or rolling schedules.	
Wire rods	5 net tons.
Structural shapes	By negotiation.[1]
Plates:	
Rolled armor	By negotiation.[1]
Other, whether rolled on continuous strip, sheared, universal or bar mill.	10 net tons.
(A steel producer need not accept an order unless the total quantity ordered is sufficient to make a heat of steel or unless ingots or slabs are available in stock or unless similar material is regularly being produced.)	
Rails	By negotiation.[1]
Wheels	By negotiation.[1]
Axles	By negotiation.[1]
Bars, hot-rolled, projectile and shell quality	By negotiation.[1]
Bars, hot-rolled, other:	
Rounds and squares 3½" and smaller	5 net tons.
Rounds and squares larger than 3½"	By negotiation.[1]
Hexagons and flats	5 net tons.
Bars, cold-finished	3 net tons.
Bars, tool steel	500 pounds.
Oil-country goods	By negotiation.[1]
Mechanical tubing	5 net tons.
Pressure tubing	By negotiation.[1]
Sheet and strip	By negotiation.[1]
STEEL CASTINGS (UNMACHINED)	
High alloy and stainless (heat and corrosion resisting)	(3).
Carbon and low-alloy	(3).
STEEL PRODUCTS, FABRICATED	
Forgings (rough as forged)	By negotiation.[1]
Wire rope and strand	1,000-foot lengths.
Welded wire mesh	Full rolls of manufacturers' standard stock sizes.
Netting	Full rolls of manufacturers' standard stock sizes.
IRON PRODUCTS	
Pig iron	Car load.
Gray iron castings, excluding soil and pressure pipe and fittings (unmachined)	(3).
Malleable castings (unmachined)	(3).

[1] "By negotiation" means negotiation between the mill and its customer. If no acceptable arrangements are worked out, the NPA should be notified.
[2] "1 heat" means one batch of metal made in 1 furnace.
[3] 2,000 pounds or less from any 1 pattern or mold, or a minimum production run by the producing foundry even though the delivery from such minimum run may cause the consumers' inventory to exceed the 45-day minimum stated in section 13.

[F. R. Doc. 51-2704; Filed, Feb. 23, 1951; 4:23 p. m.]

[NPA Order M-25 as Amended Feb. 23, 1951]

M-25—CANS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order has been rendered impracticable by the fact that the order affects a very substantial number of different trades and industries.

In the formulation of this amendment consultation with industry representatives has been rendered impracticable due to the necessity for immediate action and because the order affects a large number of users in different trades and industries.

This amendment affects NPA Order M-25 as follows: It redesignates §§ 102.1 through 102.11 as sections 1 through 11; it amends the can specifications and the plate specifications for certain products in Schedule I; and adds Schedule II to the order. Order M-25 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Restrictions on use of cans.
4. Other restrictions.
5. Restrictions on amount that may be packed.
6. Exceptions.
7. Certification of delivery of cans.
8. Application for adjustment or exception.
9. Records and reports.
10. Communications.
11. Violations.

AUTHORITY: Sections 1 to 11 issued under sec. 704, Pub. Law 774, 81st Cong. Interprets or applies sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; sec. 2, E. O. 10200, 16 F. R. 61.

SECTION 1. *What this order does.* This order places restrictions upon cans made of tin plate and terneplate. Schedules I and II set out plate specifications for cans which vary according to the products packed. This order also limits the use of cans made of tin plate and terneplate. Cans made wholly of black plate are not restricted by this order. NPA Order M-24 permits the use of tin plate and terneplate for cans in accordance with the terms of this order. NPA Order M-8 sets forth the specifications for solder that may be used in the manufacture of cans.

SEC. 2. *Definitions.* As used in this order:

(a) "Can" means any unused container made in whole or in part of tin plate, terneplate or black plate, which is suitable for packing any product. The term includes any container which has a

closure or fitting, made in whole or in part of tin plate, terneplate or black plate, but does not include a glass container having such a closure or fitting. The term does not include fluid milk shipping containers.

(b) "Tin plate" means steel sheet coated with tin, and includes "primes", "seconds", and all other forms of tin plate, except waste and waste-waste.

(c) "Terneplate" means steel sheets coated with terne metal and includes "primes" and "seconds". The term does not include terneplate waste-waste, or terneplate waste. "Terne metal" means the lead-tin alloy used as the coating for terneplate, but does not include lead recovered from secondary sources which contains less than 1½ percent residual tin.

(d) "SCMT" means special coated manufacturers' terneplate.

(e) "Waste" means scrap tin plate and terneplate (including strips and circles) produced in the ordinary course of manufacturing cans, and tin plate and terneplate strips produced in the ordinary course of manufacturing tin plate and terneplate. The term also includes tin plate and terneplate parts recovered from used cans.

(f) "Waste-waste" means hot dipped or electrolytic tin-coated steel sheets or steel sheets coated with terne metal which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(g) "Black plate" means steel sheets (other than tin plate or terneplate) 29 gauge (128 pounds) or lighter. The term includes can manufacturing quality black plate (CMQ), "black plate rejects", chemically treated black plate (CTB), waste-waste, and waste.

(h) "Packer" means any person who uses cans for commercially packing any product.

(i) "Person" means any individual, corporation, partnership, association, or any other organized group of persons and includes any agency of the United States or any other government.

SEC. 3. *Restrictions on use of cans.* No packer shall purchase, accept delivery of, or use a can made in whole or in part of tin plate or terneplate for any purpose other than for packing products listed in Schedules I and II, and in accordance with the specifications set out in said Schedules I and II. The restrictions contained in this section and said Schedules I and II are subject to the exceptions of section 6. Schedules I and II are set out at the end of this order.

SEC. 4. *Other restrictions.* No person shall manufacture, sell or deliver any cans which he knows or has reason to believe will be accepted or used in violation of the terms of this order or any other order or regulation of the NPA.

SEC. 5. *Restrictions on amount that may be packed.* (a) The restrictions of this section do not apply to the packing of those products which are listed in Schedules I and II and preceded by a single asterisk. However, the restrictions of paragraph (b) of this section do apply to products preceded by a single asterisk if such products are repacked from other containers.

(b) During the first quarter of the calendar year 1951 and each quarter thereafter, until otherwise ordered by NPA, no packer may accept delivery of or use for packing any particular product which is listed in Schedules I and II and preceded by a double asterisk any cans, made in whole or in part of tin plate or terneplate, requiring more than 100 percent of the quantity by area of measurement of tin plate, terneplate and black plate which he used for packing that particular product during the corresponding quarter of 1949 or 1950. The amounts packed during each quarter shall be spread as equally as possible over each of the three months of such quarter, but no packer shall be required to take delivery of cans in less than carload lots to meet this provision.

(c) During the first quarter of the calendar year 1951 and each quarter thereafter, until otherwise ordered by NPA, no packer may accept delivery of or use for packing any other product which is listed in Schedules I and II any cans, made in whole or in part of tin plate or terneplate, by area of measurement requiring more than 90 percent of the quantity by area of measurement of tin plate, terneplate and black plate which he used for packing such product during the corresponding quarter of 1949 or 1950. The amounts packed during each quarter shall be spread as equally as possible over each of the three months of such quarter, but no packer shall be required to take delivery of cans in less than carload lots to meet this provision.

SEC. 6. *Exceptions.* (a) The plate specifications set out in Schedules I and II do not apply to the use of any cans which are in the inventory of a packer or in the inventory of a can manufacturer or in process of manufacture, or to tin plate or terneplate which was either in process at a tin mill, in the inventory of a tin mill for the account of a can manufacturer or in the inventory of a can manufacturer on the effective date of this order. It is the intent of this section that any tin plate or terneplate intended for use in the manufacture of cans in inventory or process as aforesaid shall be used notwithstanding the plate specifications of this order. However, the restrictions of section 5 are not excepted by this paragraph (a).

(b) Until March 31, 1951, .25 pound electrolytic tin plate or SCMT plate may be used in place of black plate for soldered parts on cans where facilities for soldering black plate are not available. This exception is provided to enable manufacturers to equip themselves to solder black plate.

(c) Any person whose total use of cans for packing any product in any calendar year requires less than 250 base boxes of tin plate and terneplate shall be exempt from the use limitations of section 5 but not from the plate specifications of Schedules I and II.

(d) Cans may be used to pack any product provided such product is not to be sold in the same or different form, but this does not permit the use of cans contrary to the provisions of this order for the purpose of aiding or promoting the sale of a product.

(e) (1) Orders having a properly applied DO rating are exempt from the use limitations of this order but not from the plate specifications.

(2) The restrictions in this order shall not apply to military requirements for cans of a special design or style not normally produced or used commercially, nor to cans for emergency rations and supplies for lifeboats.

SEC. 7. *Certification of delivery of cans.* No manufacturer shall sell or deliver cans unless he has received from the purchaser a certificate signed manually. This certificate shall be by letter in substantially the following form and, once filed by a purchaser with a manufacturer, covers all future deliveries of cans from the manufacturer to that purchaser:

To _____, manufacturer:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M–25 of the National Production Authority, and that all purchases from you of items regulated by that order, and the acceptance of the same by the undersigned, will be in compliance with said order, and any amendments thereto.

SEC. 8. *Application for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, or because any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry or its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 9. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least two years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized

representatives of the National Production Authority.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act (Pub. Law 831, 77th Cong., 5 U. S. C. 139–139F).

SEC. 10. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C. Ref.: M–25.

SEC. 11. *Violations.* Any person who wilfully violates any provisions of this order or any other order or regulation of the National Production Authority or wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with said Federal Reports Act.

This order as amended shall take effect on February 23, 1951.

NATIONAL PRODUCTION AUTHORITY,
[SEAL] MANLY FLEISCHMANN,
Administrator.

SCHEDULE I—CAN SPECIFICATIONS

Columns 2 and 3 specify the weights of tin coating per base box of tin plate and terneplate which may be used for the parts of cans for the products listed in column 1. Any packer may also use for packing a listed product black plate cans or cans with a tin coating lighter than that specified for that product. Wherever .25 lb. electrolytic tin plate is specified SCMT may be used. Tin plate menders arising in the production of electrolytic tin plate may be used without regard to the weight of coating for any purpose where .50 lb. electrolytic tin plate is permitted under this schedule. Where menders arising cannot be used to replace .50 lb. electrolytic tin plate, they may be used to replace any electrolytic tin plate. When only a figure is given in columns 2 or 3 this means that tin plate may be used for the part and the figures given indicate the maximum weight of tin coating on each base box of plate. Wherever CMQ is specified .25 lb. electrolytic tin plate may be used in that part of a can which is closed by soldering. Reference is made to section 5 for restrictions on amount that may be packed and meaning of the asterisks preceding certain products.

CAN MATERIALS

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
Fruit and Fruit Products		
1. **Apples, baked, processed	1.50	1.50
2. *Apples, quartered and sliced, processed	1.25	.50
3. **Apple butter	1.50	1.50
4. *Apple juice, single strength, processed:		
Enameled cans	1.50	1.50
Plain bodies	1.25	.50
5. *Apple sauce, processed	1.25	.50

CAN MATERIALS—Continued

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
Fruit and Fruit Products—Continued		
6. *Apricots, whole or halves, processed	1.25	.50
7. **Apricots, concentrate, processed	1.50	.50
8. **Apricots, spiced, processed	1.50	.50
9. **Apricot nectar, processed	1.25	.50
10. **Bananas and pulp, processed	1.25	.50
11. *Berries, processed	1.50	1.50
Includes the following: Blackberries. Blueberries. Boysenberries. Cranberries, whole or sauce. Dewberries. Elderberries. Huckleberries. Loganberries. Raspberries. Strawberries. Youngberries.		
12. *Cherries, dark sweet, processed	1.50	1.50
13. **Cherries, Maraschino	1.50	1.50
14. *Cherries, red sour, processed	1.50	1.50
15. *Cherries, light sweet, processed	1.25	.50
16. **Cider	Same as apple juice	
17. **Crabapples and juice	Same as apples and apple products.	
18. **Crabapples, spiced, processed:		
Enamel cans	1.50	1.50
Plain bodies	1.50	.50
19. **Currants, processed:		
Enamel cans	1.50	1.50
Plain bodies	1.25	.50
20. *Figs, processed	1.25	.50
21. **Fruits, dehydrated or dried (except prunes):		
5 gallon square can	.50	.50
Other sizes	.25	.25
22. *Fruits, frozen—all varieties	.25	.25
23. *Fruit cocktail, incl. fruits for salad and mixed fruits, processed	1.25	.50
24. *Fruit juice concentrate, frozen	.25	.25
Includes the following: Apple. Cherry. Cranberry. Grape.		
25. *Fruit juice, single strength, processed	1.50	1.50
Includes the following: Boysenberry. Cherry. Cherry-apple blend. Cranberry. Raspberry. Raspberry-apple blend. Loganberry.		
26. *Fruit pulp and puree (except baby food)	Same as non-pureed fruits	
27. *Gooseberries, processed	1.25	.50
28. **Grapeade, ready to drink, processed	1.25	1.25
29. **Grape ade base, processed	1.50	1.50
30. **Grapes, processed (Thompson seedless)	1.25	.50
31. **Grapes, processed, colored	1.50	1.50
32. **Grapes, spiced (Thompson seedless)	1.50	1.50
33. *Grape juice, concentrate, processed	1.50	1.50
34. *Grape juice, single strength, processed	1.25	1.25
35. *Grapefruit (segments) processed	1.25	1.25
36. *Grapefruit juice concentrate, frozen	.25	.25
37. *Grape fruit juice concentrate, processed	1.25	1.25
38. *Grapefruit juice, single strength, processed	1.25	1.25
39. *Grapefruit and orange segments, processed	1.25	1.25
40. *Grapefruit-orange and other citrus juice blends concentrate, frozen	.25	.25
41. *Grapefruit-orange and other citrus juice blends concentrate, processed	1.25	1.25
42. *Grapefruit-orange and other citrus juice blends single strength, processed	1.25	1.25
43. **Fruit jams, jellies, preserves and butters:		
From red fruits	1.50	1.50
From all other fruits	1.25	.50
44. *Lemon juice, single strength, frozen	.25	.25
45. *Lemon juice, single strength, processed	1.25	1.25
46. *Lemon juice concentrate, frozen	.25	.25
47. *Lemon juice concentrate, processed	1.50	1.50
48. **Lemonade, ready to drink, processed	1.25	1.25

CAN MATERIALS—Continued

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
Fruit and Fruit Products—Continued		
49. **Lemonade base concentrate, frozen	.25	.25
50. **Lemonade base concentrate, processed	1.50	1.50
51. *Lime juice, frozen	.25	.25
52. *Lime juice, processed	1.25	1.25
53. **Marmalades	Same as jams	
54. *Nectarines	Same as peaches	
55. *Olives, whole and chopped, green and green ripe	1.25	1.25
56. *Olives, whole and chopped, ripe	1.50	1.50
57. **Orangeade, ready to drink, processed	1.25	1.25
58. *Orange segments, processed	1.25	1.25
59. *Orange juice, single strength, frozen	.25	.25
60. *Orange juice, single strength, processed	1.25	1.25
61. *Orange juice concentrate, frozen	.25	.25
62. *Orange juice, concentrate, processed	1.50	1.50
63. **Papayas and papaya products, processed	1.25	1.25
64. *Peaches, whole, halves, quarters, diced and sliced, processed	1.25	.50
65. **Peaches, spiced, processed	1.50	.50
66. *Peach concentrate, processed	1.25	.50
67. **Peach nectar, processed	1.25	.50
68. **Pears, baked	1.50	1.50
69. *Pears, whole, halves, quarters, diced and sliced, processed	1.25	.50
70. **Pears, spiced, processed	1.50	.50
71. *Pear concentrate, processed	1.25	.50
72. **Pear nectar, processed	1.25	.50
73. *Pectin, liquid	1.50	1.50
74. *Pineapple and pineapple juice, processed	1.25	1.25
75. *Pineapple-grapefruit juice, processed	1.25	1.25
76. *Plums, processed:		
Light colored	1.25	.50
Dark colored	1.50	1.50
77. **Plum Butter	1.50	1.50
78. **Plum nectar, processed:		
Light colored	1.25	.50
Dark colored	1.50	1.50
79. **Prunes, dehydrated or dried	1.25	.50
80. **Prunes, dried, in syrup	1.50	1.50
81. *Prunes, fresh, in syrup, processed	1.50	1.50
82. **Prune nectar, processed	1.50	1.50
83. **Prune juice, from dried prunes	1.50	1.50
84. **Quinces, processed	1.25	.50
85. *Tangerine juice, single strength and concentrate	Same as orange	
Vegetable and Vegetable Products		
86. **Artichokes, acidified, processed	1.25	.50
87. *Asparagus, processed	1.25	1.25
88. **Bamboo sprouts, processed	1.25	.25
89. **Beans, dry, soaked, processed:		
All varieties:		
With sweetened sauce (Boston style)	.25	.25
With chili sauce	.50	.50
With plain sauce or brine	.25	.25
With tomato sauce	1.25	.25
90. *Beans, fresh shelled, processed all varieties	.25	.25
91. *Beans, green and wax, processed	1.25	.25
92. **Bean sprouts, processed	1.25	.25
93. *Beets, processed	1.25	1.25
94. **Beets, pickled	1.50	1.50
95. **Broccoli, processed	1.25	.25
96. **Brussel sprouts, processed	1.25	.25
97. **Cabbage, processed	1.25	.25
98. **Cabbage, red, acidified, processed	1.50	1.50
99. *Carrots, processed	1.25	.25
100. *Carrot juice, processed	1.25	.25
101. *Carrots and peas, processed	1.25	.25
102. **Cauliflower, processed	1.25	.25
103. **Celery, processed	1.25	.25
104. **Celery juice, processed	1.25	1.25
105. **Chick peas, dry, soaked, processed	.25	.25
106. *Corn, cream style and whole grain, processed	.25	.25
107. **Corn-on-cob, processed	.25	.25
108. *Green Leafy Vegetables, Processed:		
Plain	1.25	.25
Chopped and pureed	1.25	1.25
Includes the following: Beet greens. Chard. Collard greens. Dandelion greens. Kale. Spinach. Turnip greens.		
109. **Lentils, dry, soaked, processed	.25	.25
110. *Mushrooms, processed:		
Whole, sliced, stems and pieces	1.25	.25
Broiled in butter	.25	.25

CAN MATERIALS—Continued

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
Vegetable and Vegetable Products—Con.		
111. *Okra, with and without tomatoes, processed	1.25	.25
112. **Onions, acidified, processed	1.25	1.25
113. **Parsnips, processed	1.25	.25
114. *Peas, all varieties, fresh, processed	.25	.25
115. *Peas, green, fresh, processed	.25	.25
116. **Peas, dry, soaked, processed	.25	.25
117. *Peppers and pimientos, processed	1.25	.25
118. **Pickles and pickled relishes	1.50	1.50
119. *Potatoes, sweet, processed	1.25	.25
120. **Potatoes, white, processed	1.25	.25
121. *Pumpkin and squash, processed	1.25	1.25
122. **Rhubarb, processed	1.50	1.50
123. **Rutabagas, processed	1.25	.25
124. *Sauerkraut, (including juice)	1.50	1.50
125. *Sauerkraut & tomato juice blend	1.50	1.50
126. *Succotash, processed	.25	.25
127. *Tomatoes, processed	1.25	.25
128. *Tomato juice, processed	1.25	.25
129. *Tomato juice cocktail (spices only added), processed	1.25	.25
130. *Tomato juice concentrate, frozen	.25	.25
131. *Tomato paste, processed	1.25	.25
132. *Tomato sauce, processed	1.25	.25
133. *Tomato pulp & puree, processed	1.25	.25
134. *Tomato catsup, chili sauce and cocktail sauce:		
Enameled cans	1.25	1.25
Plain bodies	1.25	.25
135. *Tomato juice with other vegetable juices	1.25	1.25
136. **Turnips, processed	1.25	.25
137. *Vegetables, dehydrated:		
Round double seamed cans	.25	CMQ
5 gallon square cans	.50	CMQ
138. *Vegetables, frozen	.25	.25
139. *Vegetables, mixed, processed	1.25	.25
Fish and Shell Fish		
140. *Abalone	.25	.25
141. *Alewives	.25	.25
142. *Anchovies	.25	.25
143. **Caviar	.25	.25
144. **Chowder, all varieties:		
Inside enameled cans	.25	.25
Plain body cans	1.25	.25
145. *Clams, processed	.25	.25
146. *Clam juice	.25	.25
147. **Codfish, salted, dry	.25	.25
148. **Crab, deviled	.25	.25
149. *Crabmeat, processed	.25	.25
150. *Crawfish	.25	.25
151. *Eels	.25	.25
152. *Finan haddie:		
In round cans	.25	.25
In oval cans	1.25	1.25
153. **Fish balls and cakes	.25	.25
154. **Fish frankfurters	.25	.25
155. *Fish and seafood, frozen or refrigerated	.25	.25
156. *Fish flakes and ground fish for human consumption only	.25	.25
157. *Fish livers:		
In reusable 5 gallon square cans	1.25	1.25
In non-reusable 5 gallon square cans	.50	.50
158. *Fish oil in 5 gallon square cans	.50	.50
159. *Fish paste	.25	.25
160. **Fish, pickled	1.50	1.50
161. *Fish roe:		
In round double seamed cans	.25	.25
In oval drawn cans	.50	.50
162. *Halibut	.25	.25
163. *Herring, in oil or brine (including sardines, pilchards and mackerel):		
Round cans	.25	.25
¾ drawn cans	.25	.25
¾—3 piece cans	.50	.50
Oval, drawn or oblong (other than ¾ drawn)	.50	.50
1.25 may be used for scored covers		
164. *Herring, in tomato or mustard sauce (including sardines, pilchards and mackerel):		
In oval drawn or oblong cans	.50	.50
1.25 may be used for scored covers		
165. Lobster:		
*Processed	.25	.25
**Newburg	.25	.25
166. *Menhaden	.25	.25
167. *Mullet	.25	.25
168. *Mussels:		
Fresh Shucked	.25	.25
Processed	.25	.25
169. *Oysters: processed	.25	.25
170. *Salmon:		
In round double seam cans	1.25	.25
In oval or drawn cans	.50	.50

CAN MATERIALS—Continued

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
Fish and Shell Fish—Continued		
171. *Scallops: processed	.25	.25
172. *Shad		
In round double seam cans	.25	.25
In oval or drawn cans	.50	.50
173. *Shrimp: Processed	.25	.25
174. *Squid:		
In inside enameled cans	.25	.25
Plain body cans	1.25	.25
175. *Tuna	.25	.25
176. *Turtle	.25	.25
Dairy Products		
177. **Butter and Butter Substitutes	.25	.25
178. **Butter oil:		
5 gal. square cans	.50	.50
Other cans	.25	.25
179. **Buttermilk, dry	CMQ	CMQ
180. **Cheese:		
Reusable containers	1.25	1.25
Cottage, grated or processed	.25	.25
181. **Malted and other milk formulations, dry	CMQ	CMQ
182. **Chocolate and other flavored: milk, liquid	.25	.25
183. *Cream:		
Fresh or frozen	.50	.50
Sterilized	.25	.25
184. *Goat milk	.25	.25
185. **Ice cream	.25	.25
186. **Ice cream mix:		
Dry	CMQ	CMQ
Wet	.25	.25
187. **Milk, dry, whole or skimmed: 50# and 5 gallon square cans	.50	.50
All other cans	CMQ	CMQ
188. *Milk, fresh, frozen or refrigerated:		
5 gallon square cans	.50	.50
Other sizes	.25	.25
189. *Milk, liquid, condensed, sweetened	.75	.75
190. *Milk, liquid, evaporated and modifications of evaporated milk:		
14½ ounces or larger:		
Body	1.25	
Ends	.75	.75
Under 14½ ounces	.75	.75
Meat		
191. **Bacon:		
All seams soldered	1.25	1.25
Side seams only soldered	.25	.25
192. **Barbecued meat:		
Plain body	1.25	1.25
Inside enameled	.50	.50
193. **Beef, veal, mutton or pork (boiled, broiled, braised, corned, roasted):		
All seams soldered	1.25	1.25
Side seams only soldered	.25	.25
194. **Beef, dried	.25	.25
195. **Beefsteak	.25	.25
196. **Brains	.25	.25
197. **Chili con carne	.50	.50
198. **Frankfurters in brine	.25	.25
199. **Frankfurters with beans and tomato sauce	1.25	.25
200. **Frankfurters with barbecue sauce	1.25	1.25
201. **Frankfurters with sauerkraut	1.50	1.50
202. **Ham a la king	.25	.25
203. **Ham and eggs	.25	.25
204. **Ham, deviled	1.25	1.25
205. **Ham, spiced or chopped (including luncheon meat)	1.25	.25
206. **Hamburger with or without onions	.25	.25
207. **Hash, meat (including corned beef hash)	.25	.25
208. **Meat and beans with tomato sauce	1.25	.25
209. **Meat and gravy (including goulash)	.25	.25
210. **Meat balls	.25	.25
211. **Meat loaf	.25	.25
212. **Meat in vinegar	1.50	1.50
213. **Meats, refrigerated (including fancy meats or offal)	.25	.25
214. **Meat spreads with or without liver	.25	.25
215. **Pork and soya links	.25	.25
216. **Potted meat	.25	.25
217. **Sausage (including bulk, in casings, in oil, pork or vienna)	.25	.25
218. **Scrapple	.25	.25
219. **Spareribs and sauerkraut	1.50	1.50
220. **Stew, meat type (including beef, brunswick and kidney)	.50	.50
221. **Tamales	.50	.50
222. **Tongue	.25	.25
223. **Tripe	1.25	1.25
224. **Veal and noodles	.25	.25
225. **Chicken, or turkey, boned	.25	.25

CAN MATERIALS—Continued

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
Meat—Continued		
226. **Chicken and noodles	.25	.25
227. **Chicken and veal with noodles	.25	.25
228. **Chicken or turkey a la king	.25	.25
229. **Chicken, fat	.25	.25
230. **Chicken, fricassee	.25	.25
231. **Chicken or poultry spreads	.25	.25
232. **Chicken livers and liver spread	.25	.25
233. **Chicken, whole, half or disjointed	.25	.25
234. **Pheasant	.25	.25
235. **Squab	.25	.25
236. **Turkey, disjointed	.25	.25
Miscellaneous foods		
237. **Almond paste	.25	.25
238. Animal and pet food	.25	.25
239. **Aspic	1.25	.25
240. *Baby food:		
Fruit base type	1.50	1.50
Vegetable base type	1.25	1.25
Meat base type	.50	.50
Fish base type	.50	.50
Custards and puddings (non-fruit type)	.50	.50
Dry or powdered milk formulas	CMQ	CMQ
241. **Bakery products:		
A. Less than 15 percent moisture	.25	CMQ
B. More than 15 percent moisture	.25	.25
Including the following:		
Biscuits.		
Bread.		
Bread crumbs.		
Cakes.		
Crackers.		
Crackermeal.		
Cookies.		
Doughnuts.		
Ice cream cones.		
Pretzels.		
Wafers.		
242. **Baking mixes, dry	CMQ	CMQ
243. **Baking powder	CMQ	CMQ
244. **Barbecue sauce	1.25	.25
245. Beer and ale	.25	.25
246. **Bouillion cubes	CMQ	CMQ
247. **Candied fruit	.50	.50
248. **Candy and confectionery	CMQ	CMQ
249. **Cereals and flours	CMQ	CMQ
Including the following:		
Rolled oats.		
Wheat germ.		
Grain flours.		
Breakfast foods.		
Corn meal.		
250. **Chocolate and cocoa, dry	CMQ	CMQ
251. **Chocolate pudding, dry	CMQ	CMQ
252. **Chocolate syrup	.25	.25
253. **Chop suey	1.25	.25
254. **Chow mein	1.25	.25
255. **Citrus peel, moist	1.25	1.25
256. **Cocoanut, moist	.25	.25
257. **Coffee, dry:		
5# and smaller cans	CMQ	CMQ
10# and larger cans	.50	CMQ
258. **Coffee, liquid concentrate, frozen	.25	.25
259. **Coffee, soluble	CMQ	CMQ
260. **Coffee substitutes, dry	CMQ	CMQ
261. **Cornmeal mush, processed	.25	.25
262. **Crepe Suzettes	.25	.25
263. **Dessert powder	CMQ	CMQ
264. **Dextri-maltose	CMQ	CMQ
265. **Dietary foods, special formula:		
Dry	CMQ	CMQ
Wet	.50	.50
266. **Dry food specialties	CMQ	CMQ
Including the following:		
Popcorn.		
Popped corn.		
Nutmeats.		
Peanuts.		
Potato chips.		
Fried noodles.		
Macaroni.		
Spaghetti.		
Noodles.		
Other dry products.		
267. Eggs:		
**Dry powdered	.25	CMQ
*Frozen	.25	.25
268. **Enchiladas	.25	.25
269. **Food stabilizers	CMQ	CMQ
270. **Fountain fruits and syrups:		
Fruit and other syrups	1.25	1.25
Toppings nonacid in character	.50	.50
Carbonated beverage base syrups	1.50	1.50
271. **Fruit cakes:		
Hermetic cans	.25	CMQ
Nonhermetic cans	CMQ	CMQ
272. **Gelatin deserts, other than powder	1.25	.25

CAN MATERIALS—Continued

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
Miscellaneous Foods—Continued		
273. **Hominy, processed	.25	.25
274. *Honey:		
All seams soldered	1.25	1.25
Only side seams soldered	.25	.25
275. **Lard:		
5 gallon square cans	.50	.50
All other cans	CMQ	CMQ
276. **Lima bean loaf	.25	.25
277. **Macaroni, noodles and spaghetti, wet pack	1.25	.25
278. **Mayonnaise (including salad dressing)	1.50	1.50
279. **Milk sugar, dry	CMQ	CMQ
280. **Mincemeat	1.50	1.50
281. **Mushroom sauce	1.25	.25
282. **Peanut and other edible nut butters	.25	CMQ
283. **Oils, edible:		
5-gallon squares	.50	.50
Other sizes	.25	.25
284. **Onions, French fried	.25	CMQ
285. **Plum pudding, including spiced pudding	1.25	1.25
286. **Potatoes, french fried, shoestring and sticks	.25	CMQ
287. **Potato salad	1.25	1.25
288. **Ravioli	1.25	.25
289. **Rice, plain, processed	.25	.25
290. **Rice, Spanish (including rice dinner), processed	1.25	.25
291. **Shortening	CMQ	CMQ
292. **Soups, dehydrated:		
Round double seamed cans	.25	CMQ
5 gallon square cans	.50	CMQ
293. Soups, liquid:		
*Seasonal from fresh vegetables only:		
Tomato, vegetarian vegetable	1.25	.25
All other seasonal	.50	.50
**Nonseasonal:		
Black bean, bean with bacon beef	1.25	.25
Chicken with noodles or rice	.50	.50
All other nonseasonal	.75	.50
294. **Soybean milk	.25	.25
295. **Spices and condiments:		
Prepared	1.50	1.50
Dry	CMQ	CMQ
Dredger and sifter tops	1.25	.25
296. **Steak sauce, with mushrooms	1.25	.25
297. **Syrups:		
All seams soldered	1.25	1.25
Double seamed oblong	1.25	.25
Double seamed round	.25	.25
Irregular shaped	.25	.25
Includes the following syrups and blends:		
Cane.		
Corn.		
Corn blends.		
Molasses.		
Malt.		
Maple.		
Sorghum.		
298. **Tea, dry	CMQ	CMQ
299. **Yeast, dry	CMQ	CMQ
Non Food Products		
300. Aniline	1.25	1.25
301. Artists and school supplies (including water color boxes, trays, pans, cups, chalk and crayon boxes and all others)	CMQ	CMQ
302. Anti-freeze (all types)	CMQ	CMQ
303. Asphalt, pitch, tar	CMQ	CMQ
304. Auto supplies:		
Liquid radiator antirust compounds	.50	.50
Radiator stop leaks	.50	.50
Hydraulic brake fluid	.25	.25
Shock absorber fluid	.25	.25
Tire preserver	.25	.25
Top dressing paste and liquid	.25	.25
Carbon removers	.25	.25
Gasoline additives	.25	.25
All others	CMQ	CMQ
305. Bee feeder cans	.25	.25
306. Belt dressing	CMQ	CMQ
307. Cements:		
Water base linoleum	1.25	1.25
Rubber, latex type	1.25	1.25
Rubber, neoprene	1.25	1.25
Solvent base linoleum	.25	.25
Rubber base liquid and paste	.25	.25
All others	CMQ	CMQ

CAN MATERIALS—Continued

Product (1)	Soldered or welded parts (2)	Non-Soldered parts (3)
Non Food Products—Continued		
308. Chemicals, dry:		
Phenols	1.50	1.50
Phosphorus	1.25	1.25
Ammonium salts	1.25	1.25
Hypochlorite powders	.25	.25
Permanganates	.25	.25
Sodium and potassium metals	.25	CMQ
All others	CMQ	CMQ
309. Chemicals, liquid:		
*Alcohols, CP and USP	1.25	1.25
*Chloroform and ether USP	1.25	1.25
Aldehydes and halogenated hydrocarbons	.25	.25
Carbon disulfide	.25	.25
Carbon tetrachloride	.25	.25
Ketones, ethers, glycols	.25	.25
Sodium silicate	.25	.25
Alcohol, industrial	CMQ	CMQ
310. Cleaners:		
Window spray	1.25	1.25
Wall paper	1.25 or 8# terne	1.25
Radiator, liquid	.50	.50
Cleaners, liquid or paste	.25	.25
Cleaning Fluids, Solvent Type	.25	.25
All others dry or powder	CMQ	CMQ
311. Compounds:		
Boiler, liquid	.50	.50
Caulking or sealing	.25	CMQ
Grinding and buffing	.25	CMQ
Soldering or welding	.25	CMQ
All others	CMQ	CMQ
312. Cosmetic and toiletry supplies:		
Brushless shaving cream	.75	.75
Drawn parts	----------	1.25
Hair dressings and pomades	.50	.50
Cold creams, lotions and hair wave preparations.	.25	.25
All others, including personal and other powders.	CMQ	CMQ
313. Dental supplies:		
Tooth powder, ammoniated	.25	.25
All others, including nonammoniated tooth powder.	CMQ	CMQ
314. Disinfectants and deodorizers:		
Creosote	.50	.50
Fumigants	.50	.50
Liquid formulations	.50	.50
Pine oil	.25	.25
315. Drugs:		
Ointments and salves	.50	.50
*Blood plasma (outer container)	.25	.25
Distilled water (outer container)	.25	.25
Ampoules	.25	.25
Dry products	CMQ	CMQ
316. Dyes:		
Pastes and liquids	.50	.50
Dry	.25	CMQ
317. Essential oils	1.25	1.25
318. Exterminators: paste and powders	.25	.25
319. Film boxes	.50	.50
320. First aid cabinets and kits	CMQ	CMQ
321. Glues, pastes and adhesives:		
Moist pastes and glues	1.25	1.25
Dry powders	CMQ	CMQ
322. Glycerine:		
CP and USP	1.25	1.25
Industrial	.50	.50
323. Grain fumigant	.50	.50
324. Graphite:		
In oil	.25	.25
Dry	CMQ	CMQ
325. Lubricating grease	CMQ	CMQ
326. Lye and drain and toilet bowl cleaners	CMQ	CMQ
327. Inks:		
Spirit aniline	.50	.50
Rotogravure	.50	.50
Printing, duplicating	.25	.25
328. Insecticides:		
Nicotine sulphate	1.50	1.50
Water base	1.25	1.25
Emulsifiable concentrate	1.25	1.25
Oil base	.25	.25
Dry	CMQ	CMQ
329. Leather dressings, saddle soap	.50	.50
330. Oils (Industrial, vegetable):		
Animal or fish	.50	.50
Transformer	.50	.50
Soluble and cutting	.25	CMQ
Lubricating and motor:		
5 gallon square cans	SCMT	SCMT
1 quart and 5 quart round	CMQ	CMQ
All other	.25	.25
or	SCMT	SCMT

CAN MATERIALS—Continued

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
Non Food Products—Continued		
331. Paint products:		
Anti-fouling paints	1.50 or 12# terne	1.50
Oil base paints	CMQ	CMQ
Water base paints	.25	.25
or	----------	SCMT
Lacquers and thinners	.25	.25
Asphalt paints	CMQ	CMQ
Shellac	8# terne	
Dry pigments, bronze powders	CMQ	CMQ
Paint and varnish removers	.25	.25
Varnishes and oil or shingle stains	.25	CMQ
332. Plaster of paris	CMQ	CMQ
333. Plastic wood	1.25	1.25
334. Polishes and waxes:		
Water base	.50	.50
Solvent base	.25	CMQ
Shoe, paste	CMQ	CMQ
Shoe, liquid	8# terne	
335. Putty	.25	CMQ
336. Recreational supplies:		
Vacuum or pressure packages	.25	CMQ
All other	CMQ	CMQ
337. Seeds	CMQ	CMQ
338. Seed inoculants	.50	.50
339. Snuff	.50	.50
340. Soap and detergents:		
Liquid	1.25	1.25
Paste	.25	.25
Powders	CMQ	CMQ
341. Stock and poultry food:		
Dry products	CMQ	CMQ
Containing 15 percent or more moisture	.25	.25
342. Stock, pet and poultry remedies:		
Roost paint	1.25	1.25
Liquids, worm killer, sheep and cattle dip, sheep and horse drench:		
For internal use	1.25	1.25
For external use	.25	.25
Dry products	CMQ	CMQ
343. Surgical dressings and hospital supplies, bandages, adhesive tape, mustard plasters, etc	CMQ	CMQ
344. Tobacco:		
Cigars and cigarettes	.25	CMQ
Pipe tobacco	CMQ	CMQ
345. Turpentine	.50	.50
346. Wood filler	.25	CMQ
347. Miscellaneous items:		
Bottle seal cap solution	1.25	1.25
Brush keepers	.25	CMQ
Cremation boxes	1.25	1.25
Explosives	.25	.25
Weed killers	.50	.50

SCHEDULE II—CAN SPECIFICATIONS

Columns 2 and 3 specify the weights of tin coating per base box of tin plate and terneplate which may be used for the parts of cans for the products listed in column 1. Any packer may also use for packing a listed product black-plate cans or cans with a tin coating lighter than that specified for that product. Wherever .25 lb. electrolytic tin plate is specified SCMT may be used. Tin plate menders arising in the production of electrolytic tin plate may be used without regard to the weight of coating for any purpose where .50 lb. electrolytic tin plate is permitted under this schedule. Where menders arising cannot be used to replace .50 lb. electrolytic tin plate, they may be used to replace any electrolytic tin plate. When only a figure is given in columns 2 and 3 this means that tin plate may be used for the part and the figures given indicate the maximum weight of tin coating on each base box of plate. Wherever can manufacturing quality black plate (CMQ) is specified .25 lb. electrolytic tin plate may be used in that part of a can which is closed by soldering. Reference is made to section 5 for restrictions

on amount that may be packed and meaning of the asterisks preceding certain products.

CAN MATERIALS

Product (1)	Soldered or welded parts (2)	Non-soldered parts (3)
FRUIT AND FRUIT PRODUCTS		
1. **Orangeade base concentrate: Frozen	.25	.25
Processed	1.50	1.50
2. **Pie and pastry filler (fruit filling only)	1.25	.50
3. *Pineapple juice concentrate, frozen	.25	.25
MEAT		
4. **Hams, whole, halves, quarters or sections and pork loin, boneless and smoked: Round cans, side seam only soldered	1.25	.25
Oblong cans, 3 lb. and larger	1.25	.25
All seams soldered	1.25	1.25
5. **Beef and other gravies	.25	.25
MISCELLANEOUS FOODS		
6. **Spaghetti with meat balls	1.25	.25
7. **Spaghetti sauce	1.25	.25
8. **Any other food product: Heat processed in hermetically sealed cans	.25	.25
Nonprocessed	.25	CMQ
NONFOOD PRODUCTS		
9. Aerosol and other pressure-propelled products	.50	CMQ
10. Anti-phlogistine	1.25	1.25
11. Benzol, toluene, naphtha xylene, gasoline, kerosene	.25	.25
12. Lighter fluid	.25	.25
13. Any other nonfood product	.25	CMQ

[F. R. Doc. 51-2705; Filed, Feb. 23, 1951; 4:23 p. m.]

Chapter XV—Federal Reserve System

[Regulation W]

REG. W—CONSUMER CREDIT

1. Effective February 26, 1951, section 7 of Regulation W is hereby amended by adding, at the end thereof after the present paragraph (k), a new paragraph (l) reading as follows:

(l) *Certain temporary rentals.* Any contract or similar arrangement for the rental, leasing or bailment of a listed article for a specified period of not more than 3 months if (1) the transaction is to be terminated, and the article returned to the Registrant, on or before the expiration of the specified period, and (2) the transaction is not renewable and does not directly or indirectly relate to or involve any subsequent lease, use of, or other interest in, the article or any similar article.

(Sec. 5, 40 Stat. 415, as amended, sec. 601, Pub. Law 774, 81st Cong.; 50 U. S. C. App. 5, E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR, 1941 Supp.)

2. a. The above amendment to Regulation W is issued under the authority of section 5 (b) of the act of October 6, 1917, as amended, U. S. C., Title 50, App., sec. 5 (b); Executive Order No. 8843, dated August 9, 1941; and the "Defense Production Act of 1950", particularly section 601 thereof.

The purpose of the amendment is to exempt from the down payment and monthly payment requirements of this regulation certain short-term, non-renewable leases.

b. In 15 F. R. 8856, December 14, 1950, § 222.126, relating to "'Rental' transations", the Board stated that it was examining further into the characteristics of leasing arrangements and that it would consider whether or not any such arrangements were of such a special character as to make it desirable or feasible to relax any of the provisions of Regulation W to any extent for their benefit; and to aid in such examination and consideration, the Board invited the submission to it of any relevant explanations, data or other information.

This amendment was adopted by the Board after consideration of all relevant matter, including that presented to it pursuant to the abovementioned notice in the FEDERAL REGISTER. Special circumstances rendered impracticable further consultation with industry representatives, including trade association representatives, in the formulation of the above amendment, especially in view of the relaxing nature thereof; and, therefore, as authorized by section 709 of the Defense Production Act of 1950, the amendment has been issued without such further consultation. Section 709 of the Defense Production Act of 1950 provides that the functions exercised under such act shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237) except as to the requirements of section 3 thereof.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 51-2700; Filed, Feb. 23, 1951; 3:04 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

PART 19—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS

CROSS REFERENCE: For changes made in waiver of navigation and vessel inspection laws and regulations, see Title 46, Chapter I, Part 154, *infra.*

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 120—OCEAN MAIL SERVICE

COMPENSATION FOR TRANSPORTATION OF FOREIGN MAILS

Whereas section 4009 of the Revised Statutes, as amended (39 U. S. C. 654) vests authority in the Postmaster General to fix the compensation, within certain prescribed limits, for mail transported by a vessel of the United States, and

Whereas the Post Office Department has been petitioned to increase the present rate paid for the transportation of United States mails consisting of articles (including parcel post) other than letters and post cards dispatched from ports in the continental United States on steamships of the United States registry for distances up to and including 300 nautical miles, and

Whereas it has been determined, from the investigation conducted by the Post Office Department, that the carriers transporting such mails have suffered and are continuing to suffer a loss under the rate presently paid, and that an increase in such rate is, therefore, warranted, and

Whereas it has been found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1003) is unnecessary and contrary to the public interest:

Now, therefore, it is ordered, that, effective March 1, 1951, Part 120 be amended as follows:

In §120.7 *Compensation for transportation of foreign mails* (39 CFR 120.7) amend paragraph (c) by the addition of a subparagraph (3) to read as follows:

(3) Payment shall be made for the transportation of United States mails, consisting of articles (including parcel post) other than letters and post cards, when dispatched from ports in the continental United States, on steamships of United States registry, at the rate of 2.8 cents a pound for distances up to and including 300 nautical miles.

(R. S. 161, 396, 4009, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 654)

[SEAL] V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 51-2706; Filed, Feb. 26, 1951; 9:05 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

Subchapter O—Regulations Applicable to Certain Vessels During Emergency

[CGFR 51-9]

PART 154—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS [1]

MISCELLANEOUS AMENDMENTS

The purpose for the following changes in waiver orders is to restate certain waiver orders, including regulations and instructions relating thereto, pertaining to laws and regulations relating to navigation and vessel inspection administered by the Coast Guard and considered necessary in the interest of national defense. These waiver orders are also published in 33 CFR Part 19 and the changes made in 46 CFR Part 154 by this document shall likewise be made in 33 CFR Part 19. Because of the technical character of general waiver orders and because of the urgency of providing general waiver authority in the interest of national defense, it is found that compliance with the notice of proposed rule making, public rule making procedure thereon, and effective date requirements of the Administrative Procedure Act is impracticable and contrary to the public interest.

All the waivers published in 46 CFR Part 154, which are also codified in 33

[1] This is also codified in 33 CFR Part 19.

CFR Part 19, were canceled by section 3 of Public Law 891, 81st Congress, 2d Session, approved December 27, 1950, which repealed the authority for these waivers and, therefore, all waivers in 46 CFR Part 154, as well as 33 CFR Part 19, are hereby revoked.

The purpose for the following general waivers of navigation and vessel inspection laws is to modify statutory requirements to such an extent and in such a manner and upon such terms as may be necessary in the interest of national defense. These general waivers are applicable to vessels or persons meeting the terms and conditions set forth therein without making formal application to the Coast Guard.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by an order of the Acting Secretary of the Treasury, dated January 23, 1951, and identified as CGFR 51–1 and published in the FEDERAL REGISTER dated January 26, 1951 (16 F. R. 731), certain general waiver orders are revoked and others are restated and prescribed and shall become effective on and after the date of publication of this document in the FEDERAL REGISTER:

1. Section 154.03 *Bond allotments on shipping articles* is revoked.

2. Section 154.07 is restated and amended to read as follows:

§ 154.07 *Chronological record of seaman's previous employment.* (a) Compliance is hereby waived with regard to the provisions of subsection (h) of R. S. 4551, as amended (46 U. S. C. 643), to the extent necessary to permit the Commandant of the United States Coast Guard to issue a chronological record of a seaman's previous employment on a single document, in lieu of making individual entry in a duplicate continuous discharge book or furnishing individual certificates of discharge.

(b) It is hereby found that the waiving of the provisions of R. S. 4551 (h), as amended (46 U. S. C. 643), is necessary in the interest of national defense.

(Order CGFR 51–1, dated Jan. 23, 1951, of Acting Secretary of the Treasury; 16 F. R. 731; interpret or apply Pub. Law 891, 81st Cong., 2d Sess., approved Dec. 27, 1950)

3. Section 154.09 *Permitting cargo vessels equipped with certificates issued by British Ministry of War Transport to load passengers at U. S. ports for outward transportation* is revoked.

4. Section 154.13 *Utilization of petroleum for motive power of steam vessels* is revoked.

5. Section 154.17 *Reporting of employment, discharge, or termination of seamen on tugs, towboats, and seagoing barges* is revoked.

6. Section 154.19 is restated and amended to read as follows:

§ 154.19 *Eight-hour day on tugs navigating the Great Lakes and tributary waters.* (a) Compliance is hereby waived with regard to the provisions of section 2 of the act of March 4, 1915, as amended (46 U. S. C. 673), restricting the working hours of licensed officers or seamen in the deck or engine department of any tug navigating the Great Lakes or tributary waters thereof to eight hours in one day on any vessel engaged in business connected with the national defense.

(b) It is found necessary in the interest of national defense that there be waived compliance with so much of section 2 of the act of March 4, 1915, as amended (46 U. S. C. 673), regarding the working hours of licensed officers or seamen because the application of the statutory requirement unless waived would impede the operation of vessels engaged in business connected with the national defense.

(Order CGFR 51–1, dated Jan. 23, 1951, of Acting Secretary of the Treasury; 16 F. R. 731; interpret or apply Pub. Law 891, 81st Cong., 2d Sess., approved Dec. 27, 1950)

7. Section 154.23 is restated and amended to read as follows:

§ 154.23 *Reporting of employment, discharge, or termination of seamen on vessels engaged exclusively in trade on the lakes other than the Great Lakes, bays, sounds, bayous, canals, and harbors.* (a) Compliance is hereby waived with regard to the provisions of subsection (1) of R. S. 4551, as amended (46 U. S. C. 643 (1)), and with § 14.05–20 of this chapter for issuance of certificates and continuous discharge books relating to the reporting of the employment, discharge, or termination of the services of seamen on Coast Guard Form CG 735–T in the case of vessels employed in trade on lakes other than the Great Lakes, bays, sounds, bayous, canals, and harbors, and engaged in business connected with the national defense.

(b) It is found that the waiving of the provisions of R. S. 4551 (1), as amended (46 U. S. C. 643 (1)), is necessary in the interest of national defense.

(Order CGFR 51–1, dated Jan. 23, 1951, of Acting Secretary of the Treasury; 16 F. R. 731; interpret or apply Pub. Law 891, 81st Cong., 2d Sess., approved Dec. 27, 1950)

8. Section 154.27 *Procedures for effecting individual waivers of navigation and vessel inspection laws and regulations* is revoked.

9. Section 154.29 *Continuation in effect of certain waivers, regulations, and instructions effective July 1, 1950* is revoked.

(61 Stat. 33, 685, as amended; 46 U. S. C. and Sup., note prec. sec. 1)

Dated: February 20, 1951.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 51-2660; Filed, Feb. 26, 1951; 8:52 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

EXTENSION OF TEMPORY ALLOCATION OF FREQUENCIES TO THE RADIOLOCATION SERVICE

In the matter of a petition filed with the Commission by the Seismograph Service Corporation of Tulsa, Oklahoma, requesting extension of temporary allocation of frequencies to the radiolocation service in the band 1750–1800 kc.

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of February 1951;

The Commission having under consideration footnote 2 to § 2.104 (a) of its rules which, subject to certain conditions, temporarily allocated the band 1750–1800 kc. until not later than February 17, 1951, to a radiolocation service for the location of petroleum deposits in the Gulf of Mexico, and having under consideration a petition filed by the Seismograph Service Corporation requesting an extension of this temporary allocation for an additional period after February 17, 1951, on the general grounds that such extension is needed in connection with the proceedings to be held in the Commission's general radiolocation hearing in Docket 9233 and on the further grounds that the petitioner has filed applications for renewal of its existing Class 2 Experimental licenses authorizing the use of this band for certain radiolocation purposes; and

It appearing, that the Commission's general radiolocation hearing in Docket 9233 has been postponed to an indefinite future date to be announced by the Commission and that an extension of the temporary allocation may serve to permit the accumulation of further data concerning radiolocation operations which may be utilized in connection with Docket 9233; and

It further appearing, that the Commission has heretofore found that establishment on a temporary basis of a radiolocation system as described above would be in the public interest and a further temporary extension as herein ordered would continue to be in the public interest; and

It further appearing, that steps are now being taken by the Commission which when completed are expected to result in the activation of the Disaster Communications Service in the band 1750–1800 kc., and that such service when activated should be free from harmful interference such as might be caused by the operation of the radiolocation service in this band; and

It further appearing, that the legal authority for a temporary extension of the existing temporary allocation of the band 1750–1800 kc. is vested in the Commission under sections 4 (i), and 303 (a), (b), (c), (d), (f), (g), (h), and (r) of the Communications Act of 1934, as amended; Article 7 of the Cairo (1938) General Radio Regulations, and Article 3 of the Atlantic City (1947) Radio Regulations;

It is ordered, That the petition of the Seismograph Service Corporation is granted to the extent that the temporary allocation is extended in accordance with the terms hereinafter set forth.

It is further ordered, That footnote (2) to § 2.104 (a) of the Commission's rules governing Frequency Allocations and

other matters is amended to read as follows:

[2] On the condition that harmful interference shall not be caused to the Disaster Communications Service in this band, this band is temporarily allocated to the radiolocation service until not later than August 17, 1951, subject to possible temporary continuance beyond that time for such additional period or periods as the Commission may find necessary; *Provided, however,* That this temporary allocation, or any temporary continuation thereof, shall be subject to the use-in-derogation provisions of Article 7 of the Cairo General Radio Regulations and Chapter III of the Atlantic City Radio Regulations: *And provided further,* That this temporary allocation, or any temporary continuation thereof, shall automatically terminate, without the necessity of any further actions by the Commission, not later than the date on which that part of the Table of Frequency Allocations of the Inter-American Radio Agreement (Washington, 1949) covering the band 1750–1800 kc. becomes effective, or the date on which that part of the Atlantic City Table of Frequency Allocations covering all of the bands below 27,500 kc. becomes effective (as provided by Article 47 of the Atlantic City Radio Regulations), whichever date is earlier: *And provided still further,* That this temporary allocation, or any temporary continuation thereof, shall be subject to earlier cancellation or modification by the Commission, without the necessity of a hearing, if during any period when such allocation is in effect the Commission shall, in the course of any action by the United States Government directed toward bringing into force any part of the Inter-American Radio Agreement (Washington, 1949) or toward making effective all or any portion of that part of the Atlantic City Table of Frequency Allocations covering the bands below 27,500 kc. or in the course of proceedings undertaken by the Commission to determine whether a radiolocation service should be provided on a permanent basis, or in the course of activating the Disaster Communications Service or any other fixed or mobile service in this band, reach conclusions which, in the opinion of the Commission, require such cancellation or modification. This temporary allocation, or any temporary continuation thereof, is strictly limited to a radiolocation service for the location of petroleum deposits in the Gulf of Mexico. Stations in this service shall be located within 150 miles of the shoreline of the Gulf of Mexico.

It is further ordered, That this order, and the amendment of Part 2 of the rules herein ordered, shall be effective February 17, 1951.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: February 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51–2645; Filed, Feb. 26, 1951; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

United States Coast Guard

[33 CFR, Parts 80, 90, 95]

[46 CFR, Parts 59, 60, 76, 94, 146, 160]

[CGFR 51–5]

INSPECTION AND NAVIGATION REGULATIONS

MERCHANT MARINE COUNCIL PUBLIC HEARING ON PROPOSED CHANGES

1. The Merchant Marine Council will hold a public hearing on March 27, 1951, commencing at 9:30 a. m., in Room 4120, Coast Guard Headquarters, Thirteenth and E Streets NW., Washington, D. C., to consider proposed changes in the navigation and vessel inspection regulations.

2. The proposed changes in the regulations, together with the statutory authority for making such changes, are generally described by subjects in paragraphs 4 to 13, inclusive. Copies of the proposed changes in the regulations have been mailed to persons and organizations who have expressed an active interest in the subjects under discussion. Copies of any of the proposed regulations may be obtained from the Commandant (CMC), Coast Guard Headquarters, Washington 25, D. C., so long as they are available. After all extra copies available for distribution are exhausted, copies will be available for reading purposes only in Room 4104, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

3. Comments on the proposed regulations are invited. All persons who desire to submit written comments, data, and views, prior to the hearing for consideration in connection with the proposed changes may submit them in writing for receipt prior to March 26 by the Commandant (CMC), Coast Guard Headquarters, Washington 25, D. C., or comments, data, and views may be presented orally or in writing at the hearing. In order to insure consideration and to facilitate the checking and recording of comments, it is necessary that each suggested rewording of a proposed regulation be submitted on a separate sheet of letter size paper, showing the section number (if possible) and the specific item number; the proposed change; the reason or basis (if any); and the name, business firm or organization (if any), and the address of the submitter. It is urged that the written comments, data, and views be submitted as soon as possible so they will be received prior to March 26 in order to insure consideration at the hearing and before recommendations are made concerning the proposed regulations.

ITEM I—WARNING SIGNALS FOR USE BY COAST GUARD BUOY TENDERS WHILE WORKING BUOYS

4. It is proposed to add a new regulation in the Pilot Rules for Certain Inland Waters, Pilot Rules for the Great Lakes and Their Tributaries and the St. Marys River, and the Pilot Rules for the Western Rivers and the Red River of the North, as 33 CFR 80.33a, 90.15a, and 95.26. This proposed regulation will contain requirements for special signals to be used by a Coast Guard vessel while working on a buoy and will require the pilot or operator of a vessel observing this signal to give the Coast Guard vessel as wide a berth as possible and to reduce the speed of his vessel during passing as much as possible. This regulation is being added in order to reduce the hazards on a Coast Guard vessel which is in a very vulnerable position when working on a buoy and attempting to raise it.

5. The authority to add 33 CFR 80.33a is in section 2, 30 Stat. 102, as amended, 33 U. S. C. 157. The authority to add 33 CFR 90.15a is in section 3, 28 Stat. 649, as amended, 33 U. S. C. 243. The authority to add 33 CFR 95.26 is in R. S. 4233A, as amended, 33 U. S. C. 353.

ITEM II—LIFEBOAT WINCHES, LIMIT SWITCHES IN CONTROL CIRCUITS OF

6. It is proposed to amend 46 CFR 59.3a (b), 60.21a (b), 76.15a (b), and 94.14a (b), of the general rules and regulations, Ocean and Coastwise, Great Lakes, and Bays, Sounds, and Lakes Other Than the Great Lakes, to require the limit switches functioning in the control circuits of lifeboat winches which were in existence on November 17, 1949, to meet the same requirements as limit switches presently required in lifeboat winches for use in new installations. During the last five years the records of the Coast Guard show there have been thirty accidents caused by defective limit switches. These thirty casualties have resulted in three deaths, eighteen persons injured, and considerable property damage. During this same period two men were killed and seven were injured as a result of being struck by spinning crank handles while in the act of hand cranking the davits to their final position. It is felt that most of these accidents could be eliminated by requiring limit switches in circuits of lifeboat winches on existing installations to meet the requirements for new installations. This proposal will extend the application of the regulations so that all installations of limit switches in circuits of lifeboat winches will be the same. In view of the fact that the equipment installed on existing vessels is aging, the accident rate from defective limit switches if not corrected may be expected to increase rather than decrease.

7. The authority for requiring limit switches in electric circuits of lifeboat winches is in R. S. 4405, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended, 46 U. S. C. 1, 367, 375, 481, 489, 1333, 50 U. S. C. 1275.

ITEM III—INFLAMMABLE LIQUIDS, TRANSPORTATION OF

8. It is proposed to revise the requirements for the transportation of inflam-

mable liquids in the regulations governing explosives or other dangerous articles or substances and combustible liquids on board vessels by adding 46 CFR 146.03-9, regarding definition of "flammable" or "inflammable" and by amending 46 CFR 146.04-5, 146.21-1, 146.21-2, 146.21-14, and 146.21-100 so that the Coast Guard requirements will be in agreement with the Interstate Commerce Commission's regulations. Since new inflammable liquids have become commercially important and are now covered by ICC regulations, it is proposed to add similar requirements in 46 CFR 146.21-100. The Interstate Commerce Commission has also changed the requirements for some of the containers used in transporting inflammable liquids, as well as authorized the use of a number of new containers, and the regulations have been revised to reflect these changes.

9. The authority for regulations covering the transportation of inflammable liquids is in R. S. 4405, 4472, and sec. 5 (e), 55 Stat. 244, as amended, 46 U. S. C. 1, 170, 375, and 50 U. S. C. 1275.

ITEM IV—SPECIFICATIONS FOR FIBROUS GLASS LIFE PRESERVERS, PISTOL PROJECTED PARACHUTE RED FLARE DISTRESS SIGNALS AND SIGNAL PISTOLS

10. It is proposed to add a new specification covering life preservers using fibrous glass as buoyant material as a new Subpart 160.005 in 46 CFR Part 160. This specification will provide an alternate type of life preserver for use on inspected vessels. At the public hearing held on September 20, 1950, this proposed specification was considered. Because numerous comments and suggestions were submitted it was determined to reconsider this specification after all the comments previously received have been incorporated into it where possible. The proposed specification sets forth the requirements to be followed in manufacturing life preservers using fibrous glass as buoyant material, as well as the inspections and tests required and the procedures for obtaining approval.

11. It is proposed to cancel the present specification designated as 46 CFR Subpart 160.024, which contains requirements for pistol projected parachute red flare distress signals and signal pistols and in lieu thereof add two new specifications designated as Subpart 160.024 for the pistol projected parachute red flare distress signals and Subpart 160.028 for the signal pistols in 46 CFR Part 160. These specifications as rewritten contain no new requirements except that the cost of qualification tests for type or brand approval must now be borne by the manufacturer. The proposed specifications cover the requirements to be followed in manufacturing pistol projected parachute red flare distress signals and signal pistols as well as the inspections and tests required and the procedures for obtaining approval.

12. The authority for specifications covering fibrous glass life preservers is in R. S. 4405, 4417a, 4426, 4482, 4488, 4491, 4492, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 163-167, 346, and sec. 5 (e), 55 Stat. 244, as amended, 46 U. S. C. 1, 367, 375, 391a, 396, 404, 475, 481, 489, 490, 526-526t, 1333, and 50 U. S. C. 1275.

13. The authority for the specifications regarding pistol projected parachute red flare distress signals and signal pistols is in R. S. 4405, 4417a, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended, 46 U. S. C. 1, 367, 375, 391a, 481, 489, 1333, and 50 U. S. C. 1275.

Dated: February 21, 1951.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 51-2659; Filed, Feb. 26, 1951; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 965]

[Docket No. AO 166-A13]

HANDLING OF MILK IN THE CINCINNATI, OHIO, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 5th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendment to the tentative marketing agreement and to the order, as amended, was formulated, was conducted at Cincinati, Ohio, on January 8, 1951, pursuant to notice thereof which was issued on January 2, 1951 (16 F. R. 98).

The material issues of record related to (1) the level of Class I and Class II prices in relation to the basic formula price, and (2) the pricing of Class III milk in such a manner as to discourage handlers from using producer milk in Class III when outlets are available for such milk in Class I or Class II.

Findings and conclusions. The following findings and conclusions are based upon evidence contained in the record:

(1) The level of Class I and Class II prices in relation to the basic formula price.

The amounts to be added to the basic formula price in computing Class I and Class II prices should not be changed; however, Class I and Class II prices should not be allowed to decline prior to May 1, 1951.

In November 1950, the last month for which the record contains data, the amount of emergency milk classified in Classes I and II was only one percent of total Class I and Class II milk and was only 7 percent of the amount of producer milk classified in Class III. No emergency milk was received by handlers from January 1949 to October 1950. Even though the weather in the latter part of November was more severe and more unfavorable to milk production than in most winters, only a very small amount of emergency milk was needed. On some days deliveries of milk from farms to plants and from plants to wholesale or retail outlets were curtailed because of weather and road conditions. The unfavorable weather continued into December and early January, but the supply of producer milk is usually lowest in November, so that the extent of usage of emergency milk in Classes I and II was probably not significantly greater in December or January than in November.

Conclusions set forth hereinafter concerning the pricing of Class III milk should make more producer milk available for use in Class I and Class II in the short supply season.

The basic formula price, and accordingly Class I and Class II prices, increased 24 cents from November to December and further increases appear likely.

In view of the above, it is concluded that no permanent increase in Class I and Class II price differentials is necessary.

Any condition unfavorable to the milk production of an individual cow will be reflected to some extent throughout the lactation period in which that condition exists. A relatively large number of cows in producers' herds freshen in December and January. Thus, the severe weather this winter will have some unfavorable effect on the volume of producer milk throughout most of 1951. Establishment of some incentive to encourage producers to maintain their herds at a high level of production to assure an adequate supply for the short season of 1951 appears desirable. It is therefore concluded that Class I and Class II prices should not be allowed to decline prior to May 1, 1951. By May 1 production is nearing the seasonal high point and pastures are supplying a large amount of nutrients.

(2) The pricing of Class III milk in such a manner as to discourage handlers from using producer milk in Class III when outlets are available for such milk in Class I or Class II.

The Class III price should be increased 30 cents per hundredweight above the price presently applicable in each of the months of October through February.

Considerable quantities of producer milk have been used in Class III in the recent short milk production season by some handlers while other handlers have had considerable difficulty obtaining milk

to satisfy their needs for Class I and Class II. Attempts have been made by a cooperative association to channel producer milk into the Class I and Class II outlets available, but some handlers using substantial amounts of producer milk in Class III have not been willing to release such milk.

Ice cream constitutes the major portion of Class III usage in the short supply season. Regulations of marketing area health authorities require that butterfat used in ice cream must be from milk produced under their supervision, but nonfat milk solids used in ice cream can be obtained from other sources if certain temperature requirements are met in processing. Ice cream sold ouside the marketing area need not be made from producer milk.

Butterfat can be stored during the season of flush milk production for use in the short season. Apparently the seasonal variation in the Class III price is not presently great enough to encourage such storage. On the basis of estimated costs of storage of such butterfat, a seasonal differential of 30 cents plus the seasonal variation in the Class III formula factors should encourage storage of butterfat for use in ice cream. This should result in making more producer milk available for Class I and Class II requirements in the season of short milk production.

A proposal considered at the hearing would add 30 cents to the Class III price in any of the months of October through February if a prescribed relationship between volume of Class I and Class II milk and volume of producer milk was exceeded. Such a provision would provide less incentive for handlers to store butterfat than the change herein concluded to be necessary and desirable.

It is therefore concluded that the Class III price should be increased 30 cents above the present formula level in each of the months of October through February.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk, in the marketing area and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Rulings on proposed findings and conclusions. A brief was filed on behalf of Cincinnati Sales Association, Inc. The brief contained statements of fact, proposed findings and conclusions, and arguments with respect to the provisions of the proposed amendment. Every point covered in the brief was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the findings and conclusions proposed in the brief are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this recommended decision.

Recommended marketing agreement and amendment to the order. The following amendment to the order is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the order, as amended, and as hereby proposed to be further amended.

1. Amend § 965.51 (a) by adding thereto the following: "*Provided*, That from the effective date of this proviso through April 1951 the Class I price for any month shall not be lower than in the immediately preceding month."

2. Amend § 965.51 (b) by adding thereto the following: "*Provided*, That from the effective date of this proviso through April 1951 the Class II price for any month shall not be lower than in the immediately preceding month."

3. Amend that portion of § 965.51 (c) which precedes subparagraph (1) thereof to read as follows:

(c) The price for Class III milk during each of the months of March through September shall be the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph; and the price for Class III milk during each of the months of October through February shall be the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph, plus 30 cents.

Filed at Washington, D. C., this 21st day of February 1951.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 51-2671; Filed, Feb. 26, 1951; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Part 41]

FLIGHT TIME LIMITATIONS FOR PILOTS NOT REGULARLY ASSIGNED TO ONE TYPE OF CREW

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board a Special Civil Air Regulation in substance as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted, in duplicate, to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received by March 28, 1951, will be considered by the Board before taking further action on the proposed rules. Copies of such communications will be available after March 30, 1951, for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

Under the present interpretation of § 41.57 of the Civil Air Regulations it is impossible to use a pilot in more than one type of crew combination even for a single flight without restricting his total monthly flight time to 100 hours. In view of the fact that pilots in flight crews consisting of two pilots and an additional flight crew member may fly as much as 120 hours a month, and that no specific monthly limitations are established for 3-pilot plus additional flight crew member crews, the effect of this limitation is to prevent mixed assignments even where no increase in flight fatigue would be involved and where the arrangement would be desirable for both pilot and carrier.

It is our opinion that regulations should be so drafted as to permit assignment to more than one type of flight crew without creating any penalty in terms of maximum permissive flight duty without, of course, opening the door to evasion of the stricter limitations applicable to the smaller crew combinations.

It is our intention, for an experimental period of 6 months, to permit a pilot to take advantage of changing during the month to another type of crew combination which is less restrictive as to monthly flight time limitations, or vice versa, if he does not fly more than 20 hours in the more restrictive category. This would permit logical classification in accordance with the flight time limitations authorized in §§ 41.54, 41.55, and 41.56 for various types of crew combinations.

During this period it is expected that the Civil Aeronautics Administration will closely supervise the operation to be sure that no abuse is developed and to obtain necessary information to assist the Board in determining a satisfactory permanent program for adoption along with the proposed flight time limitations recently submitted for public consideration in proposed revised Part 40.

The proposed Special Civil Air Regulation would, in general, establish the following maximum monthly and quarterly limitations for pilots used in various crew combinations:

1. A pilot assigned to multiple crews may fly in either two-pilot or two-pilot plus additional airman crews and comply with the flight time limitations ap-

plicable to multiple crews under the following circumstances:

(a) If his assigned time to two-pilot crews is a continuous period [1] of 20 hours or less;

(b) If his assigned time in two-pilot plus additional airman crews is a continuous period of 20 hours or less;

(c) If his combined time in two-pilot and two-pilot plus additional airman crews is 20 hours or less.

2. Any pilot whose time in two-pilot crews exceeds 20 hours or who has two or more noncontinuous assignments to such crews shall have a monthly maximum of 100 hours.

3. Any pilot whose time in two-pilot plus additional airman crews exceeds 20 hours or who has two or more noncontinuous assignments to such crews shall have a monthly maximum of 120 hours and a quarterly limit of 300 hours.

4. Any pilot whose combined time in a two-pilot crew with and without an additional airman exceeds 20 hours shall have a monthly limit of 120 hours and a quarterly limit of 300 hours.

It is proposed to issue a Special Civil Air Regulation to read as follows:

1. Contrary provisions of § 41.57 of the Civil Air Regulations notwithstanding, the following rules shall apply to the monthly and quarterly flight time limitations of pilots used in combinations of two-pilot crews, two-pilot and additional flight crew member crews, or three-pilot and additional flight crew member crews.

2. A pilot who is assigned to duty aloft for more than 20 hours in two-pilot crews in a given month, or whose assignment in such crew is interrupted more than once in the month by assignment to a crew consisting of two or more pilots and an additional flight crew member, shall be governed by the provisions of § 41.54.

3. Except for a pilot coming within the provisions of paragraph 2, a pilot who is assigned to duty aloft for more than 20 hours in two-pilot plus additional flight crew member crews in a given month, or whose assignment in such crew is interrupted more than once in the month by assignment to a crew consisting of three pilots plus an additional flight crew member, shall be governed by the provisions of § 41.55.

4. A pilot to whom the provisions of paragraphs 2 and 3 are not applicable, assigned to duty aloft for a total of 20 hours or less within a given month in two-pilot crews with or without additional flight crew members, shall be governed by the provisions of § 41.56.

5. A pilot assigned to each of two-pilot, two-pilot plus additional flight crew member, and three-pilot plus additional flight crew member crews in a given month, who is not governed by the provisions of paragraphs 2, 3, or 4, shall be governed by the provisions of § 41.55.

This regulation is proposed under the authority of title VI of the Civil Aeronautics Act of 1938, as amended.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601–610, 52 Stat. 1007–1012; 49 U. S. C. 551–560)

Dated: February 20, 1951, at Washington, D. C.

By the Bureau of Safety Regulations.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 51–2657; Filed, Feb. 26, 1951; 8:51 a. m.]

[1] The fact that more than one flight trip is involved does not prevent the period from being regarded as continuous for this purpose.

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SHORE SPACE RESTORATION NO. 455

FEBRUARY 16, 1951.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and in accordance with 43 CFR, § 4.275 (56) (Departmental Order No. 2325 of May 24, 1947, 12 F. R. 3566), and Order No. 319 of July 19, 1948 (43 CFR 50.451, 13 F. R. 4278), it is hereby determined that the lands described below are not necessary for harborage uses and purposes and that no shorespace reserve in such lands shall now or hereafter be created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 43 U. S. C. 371) by the initiation of claims under the public land laws:

FAIRBANKS MERIDIAN

T. 1 S., R. 1 W.,
Sec. 27: Lots 1, 2, N½NW¼ (embracing the homestead entry of James R. Brumfield, Fairbanks 06699). Containing approximately 168.93 acres.
Sec. 28: Lot 3, N½NE¼ (embraced in homestead entry of Robert E. Thomas, Fairbanks 06741). Containing approximately 127.95 acres.
Sec. 28: Lot 1; Sec. 29: Lot 4 (embracing the homestead entry of Danial H. Peger, Fairbanks 08030). Containing approximately 111.29 acres.
Sec. 29: Lot 2 (embraced in the homestead entry of Harold Caldwell, Fairbanks 07891). Containing approximately 43.24 acres.

T. 1 S., R. 2 W.,
Sec. 12: Lot 2, NE¼SW¼ (embraced in original and additional homestead entries of John Gustafson, Fairbanks 06044/07641). Containing approximately 79.12 acres.
Sec. 13: Lot 3 (embraced in the homestead entry of Harry L. O'Bryan, Fairbanks 06505). Containing approximately 34.42 acres.
Sec. 14: Lot 7, SE¼SE¼ (additional homestead entry of Thomas S. Smith, Fairbanks 08310). Containing approximately 64.29 acres.
Sec. 23: Lot 4 (homestead entry Dorothy S. Dale, Fairbanks 06874). Containing approximately 56.16 acres.
Sec. 25: Lot 2, NE¼NW¼, SW¼NW¼ (embraced in original and additional homestead entries Donald F. Johnston, Fairbanks 06513/07339). Containing approximately 129.57 acres.
Sec. 25: NW¼SW¼; Sec. 26: NW¼SE¼, SE¼SE¼ (embraced in homestead entry of Claude J. Chilton, Fairbanks 07228). Containing 120 acres.
Sec. 26: Lots 2, 4, SE¼NW¼ (embracing the second homestead entry of Herbert C. Torgerson, Fairbanks 08462). Containing approximately 114.87 acres.

T. 1 S., R. 2 E.,
Sec. 5: Lot 3, NW¼SW¼; Sec. 7: Lot 1; Sec. 8: Lot 5 (embraced in homestead entry of Lawrence E. Marsh, Fairbanks 06838). Containing approximately 83.87 acres.
Sec. 6: Lot 7; Sec. 7: Lots 2, 8, NE¼SE¼ (embracing homestead entry of Clarence A. Nelson, Fairbanks 07552). Containing approximately 114.18 acres.
Sec. 7: Lot 6, NE¼SW¼ (embraced in homestead entry of Jesse I. Palmer, Fairbanks 06237). Containing approximately 73.34 acres.
Sec. 8: S½NW¼ (embraced in homestead entry of Robert E. Freeman, Fairbanks 06721). Containing 80 acres.

T. 2 S., R. 2 E.,
Sec. 6: Lot 7; Sec. 7: Lots 1, 2, NE¼NW¼ (embraced in homestead entry of Robert E. Locker, Fairbanks 08450). Containing approximately 134.52 acres.
Sec. 10: Lot 11; Sec. 15: Lot 2, NW¼NE¼ (embracing homestead entry of John J. Sears, Fairbanks 08491). Containing approximately 105.63 acres.
Sec. 17: NE¼NE¼ (embraced in homestead entry of James M. Ford, Fairbanks 07569). Containing 40 acres.

T. 4 S., R. 3 E.,
Sec. 24: Lot 5, NE¼SE¼ (embraced in homestead entry of Thomas A. Bear, Fairbanks 08500). Containing approximately 64.40 acres.

T. 5 S., R. 4 E.,
Sec. 14: Lots 2, 3, SW¼NE¼, SE¼NW¼ (embracing homestead entry of Vernon H. Elarth, Fairbanks 06287). Containing approximately 134.60 acres.
Sec. 14: Lots 6, 7; Sec. 23: NE¼NE¼ (embraced in homestead entry of Charles F. Kennaw, Fairbanks 06342). Containing approximately 120.06 acres.
Sec. 23: Lots 4, 5, N½SW¼ (embracing homestead entry of Howard P. Glass, Fairbanks 06280). Containing approximately 113.50 acres.
Sec. 23: SW¼NE¼ (embraced in homestead entry of Jack T. Copestick, Fairbanks 06695). Containing 40 acres.

T. 6 S., R. 4 E.,
Sec. 11: NW¼SW¼ (embraced in homestead entry of Harry N. Wagers, Fairbanks 06299). Containing 40 acres.

T. 7 S., R. 5 E.,
Sec. 12: Lots 1, 2 (embracing homestead entry of Paul Hiller, Fairbanks 03017). Containing approximately 41.10 acres.
Sec. 14: NW¼NW¼ (embraced in homestead entry of Fred R. Waters, Fairbanks 06422). Containing 40 acres.

SEWARD MERIDIAN

T. 13 N., R. 4 W.,
Sec. 4: Lots 1, 2, 3, 4, NE¼SE¼, S½NW¼. Containing approximately 281.51 acres.
Sec. 5: Lot 1. Containing approximately 52.13 acres.
Sec. 9: Lot 1. Containing approximately 1.07 acres.

A tract of land located on Bear Cove, Kachemak Bay, Alaska, to be identified as U. S. Survey #3023, containing approximately 80

acres (Homestead Settlement Claim of Dana M. Newman, Anchorage 013962).

The above described lands aggregate approximately 2,639.75 acres.

A. J. LaCovey,
Acting Regional Administrator.

[F. R. Doc. 51-2632; Filed, Feb. 26, 1951; 8:45 a. m.]

CALIFORNIA

CLASSIFICATION ORDER

JANUARY 26, 1951.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427 dated August 16, 1950, I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described land in the Los Angeles, California, land district, embracing approximately 640 acres.

CALIFORNIA SMALL TRACT CLASSIFICATION No. 255

For lease and sale for homesites only:

T. 2 N., R. 6 E., S. B. M., Sec. 8, All.

The lands are located 15 to 25 miles northwest of Twenty-nine Palms, California, in the Mojave Desert, San Bernardine County, California. The elevation ranges from about 2,700 to 3,500 feet. The topography is rolling. The sandy soil supports a desert shrub type of vegetation. Summer temperatures are high and rainfall is slight. Graded and unimproved roads permit access to portions of the area. Subsurface water is generally very deep and many applicants will find it necessary to haul water for domestic use.

2. As to applications regularly filed prior to 3:24 p. m., April 16, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., March 30, 1951. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., March 30, 1951, to close of business on June 28, 1951.

(b) Advance period for veterans' simultaneous filings from 3:24 p. m., April 16, 1948, to 10:00 a. m., March 30, 1951.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., June 29, 1951.

(a) Advance period for simultaneous nonpreference filings from 3:24 p. m., April 16, 1948, to 10:00 a. m., June 29, 1951.

5. Applications filed within the periods mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimension to extend north and south.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of three years at an annual rental of $5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of $10.00 per acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Tracts will be subject to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the state, county or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries relating to these lands should be addressed to the Manager, Land Office, Los Angeles, California.

J. H. Favorite,
Acting Regional Administrator.

[F. R. Doc. 51-2633; Filed, Feb. 26, 1951; 8:45 a. m.]

Office of the Secretary

[Order No. 2616]

ASSOCIATE DIRECTOR, ASSISTANT DIRECTOR AND GENERAL COUNSEL

DELEGATION OF AUTHORITY TO SERVE AS ACTING DIRECTOR OF NATIONAL PARK SERVICE

FEBRUARY 16, 1951.

SECTION 1. *Acting Director.* (a) The Associate Director of the National Park Service shall perform the duties of the Director in case of the death, resignation, absence, or sickness of the Director.

(b) The ranking Assistant Director of the National Park Service present shall perform the duties of the Director in case of the death, resignation, absence, or sickness of both the Director and the Associate Director.

(c) The Chief Counsel of the National Park Service shall perform the duties of the Director in case of the death, resignation, absence, or sickness of the Director, the Associate Director, and the Assistant Directors.

(d) The Assistant Director of the National Park Service whose existing appointment bears the earliest date shall be considered the ranking Assistant Director of the National Park Service for the purposes of paragraph 1 (b) of this order.

(e) An officer acting under authority of this section shall sign documents under the title "Acting Director."

SEC. 2. *Revocation.* This order supersedes paragraphs (a) and (d) of § 4.650 and § 4.651, Subpart I—National Park Service, Part 4, Title 43, Code of Federal Regulations, 1947 Supplement.

(5 U. S. C., 1946 ed., sec. 22)

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 51-2631; Filed, Feb. 26, 1951; 8:45 a. m.]

[Order No. 2558, Amdt. 1]

SOUTHEASTERN POWER ADMINISTRATION

DESIGNATION OF CHIEF COUNSEL AS ACTING ADMINISTRATOR AT CERTAIN TIMES

FEBRUARY 20, 1951.

A new subsection, designated as subsection (e) and reading as follows, is added to section 2 of Order No. 2558:

(e) The Chief Counsel of the Administration shall serve as Acting Administrator of the Administration and shall perform the duties and exercise the powers of the Administrator in case of the death, resignation, absence, or sickness of the Administrator.

(5 U. S. C. sec. 22; 16 U. S. C. sec. 825s)

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 51-2661; Filed, Feb. 26, 1951; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1151]

SOUTHERN NATURAL GAS CO.

NOTICE OF ORDER EXTENDING PERIOD OF OPERATIONS

FEBRUARY 20, 1951.

Notice is hereby given that, on February 19, 1951, the Federal Power Commission issued its order entered February 16, 1951, extending period of operations until February 10, 1952, in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-2635; Filed, Feb. 26, 1951; 8:46 a. m.]

[Docket No. G-1172]

INDEPENDENT NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

FEBRUARY 20, 1951.

Notice is hereby given that, on February 19, 1951, the Federal Power Commission issued its findings and order entered February 16, 1951, permitting abandonment of facilities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-2634; Filed, Feb. 26, 1951; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25862]

PREFABRICATED OR PORTABLE HOUSES FROM LAFAYETTE, IND., TO MISSOURI AND NEBRASKA

APPLICATION FOR RELIEF

FEBRUARY 21, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4238, and the Union Pacific Railroad Company.

Commodities involved: Prefabricated or portable houses, carloads.

From: Lafayette, Ind.

To: Kansas City, Mo., Omaha and Lincoln, Nebr.

Grounds for relief: Circuitous routes and competition with motor carriers.

Schedules filed containing proposed rates: L. C. Schuldt's tariff I. C. C. No. 4238, Supp. 26.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-2640; Filed, Feb. 26, 1951; 8:47 a. m.]

[4th Sec. Application 25863]

BITUMINOUS COAL FROM MINES IN KENTUCKY, TENNESSEE, AND VIRGINIA TO INDIANAPOLIS, IND.

APPLICATION FOR RELIEF

FEBRUARY 21, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Chicago, Indianapolis and Louisville Railway Company, for itself and on behalf of the Louisville and Nashville Railroad Company and Illinois Central Railroad Company.

Commodities involved: Bituminous coal, carloads.

From: Louisville and Nashville Railroad mines in eastern Kentucky, Tennessee and Virginia.

To: Indianapolis, Ind.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-2642; Filed, Feb. 26, 1951; 8:48 a. m.]

[4th Sec. Application 25864]

MANGANESE ORE FROM EASTERN PORTS TO HOLSTON, TENN.

APPLICATION FOR RELIEF

FEBRUARY 21, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent I. N. Doe's tariff I. C. C. No. 580, and Agent C. W. Boin's tariff I. C. C. No. A-911.

Commodities involved: Manganese ore, carloads.

From: Eastern and New England ports.

To: Holston, Tenn.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-2641; Filed, Feb. 26, 1951; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

NATIONAL ASSN. OF SECURITIES DEALERS, INC., ET AL.

NOTICE OF TIME FOR FILING WRITTEN REQUEST FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 19th day of February 1951.

In the matter of the application of National Association of Securities Dealers, Inc., for approval of the continuance of Oscar F. Kraft & Co. in membership in the association with Carter Harrison Corbrey, as a controlled person.

The National Association of Securities Dealers, Inc. (hereinafter referred to as the Association), has filed with this Commission an application for approval of the continuance of Oscar F. Kraft & Co. in membership in the Association, with Carter Harrison Corbrey as a registered representative thereof, pursuant to the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934.

The application states in substance:

1. That Oscar F. Kraft, doing business as Oscar F. Kraft & Co., a registered broker and dealer and a member of the Association, proposes to employ Carter Harrison Corbrey as a salesman and has applied to the Association for the registration of Corbrey as its registered representative;

2. That the Commission, by order of April 12, 1949, revoked the broker-dealer registration of Carter H. Corbrey & Co.

(not Inc.), the name under which Corbrey had been engaged in business, and expelled him from membership in the Association, pursuant to section 15 (b) and section 15A (*l*) (2), respectively, of the Securities Exchange Act of 1934;

3. That the District Committee for District No. 2 and the Board of Governors of the Association have considered the application made to it by Oscar F. Kraft & Co. for the registration of Corbrey as a registered representative, and upon consideration of all of the facts, including the representations as to the type of activity to be engaged in by Corbrey as an employee of that firm and the extent of the supervision which the firm will exercise over his activities, are of the opinion that the approval by the Commission of the continuance in membership of Oscar F. Kraft & Co. with Corbrey in its employ would be consonant with the stated purposes and policies of section 15A of the Securities Exchange Act of 1934.

By reason of the Commission's order revoking the registration of Corbrey and expelling him from membership in the National Association of Securities Dealers, Inc., as more particularly set forth in paragraph 2 above, Oscar F. Kraft & Co. may not, pursuant to the provisions of section 15A (b) (4) of the Securities Exchange Act of 1934, be continued in the membership of the Association with Corbrey in its employ except with the approval or at the direction of the Commission.

Notice is hereby given that any interested person may informally present his views or any information relating to this matter by communicating with the Secretary of the Commission, or with Mr. Thomas B. Hart, Administrator of the Commission's Chicago Regional Office located at Room 630 Bankers Building, 105 West Adams Street, Chicago 3, Illinois, or with Mr. Howard A. Judy, Administrator of the Commission's San Francisco Regional Office located at Room 308 Appraisers Building, 630 Sansome Street, San Francisco 11, California, or with Mr. Charles R. Burr, Manager of the Commission's Los Angeles Branch Office located at Room 1737 U. S. Post Office and Courthouse, 312 North Spring Street, Los Angeles 12, California, on or before March 19, 1951, and that within the same period of time any person desiring that a formal hearing be held may file with the Secretary of the Commission a written request to that effect together with a brief statement of the nature of his interest in the proceedings and the position which he proposes to take. In the absence of such a request by any person having a bona fide interest in the proceedings, the Commission will either set the matter down for hearing on its own motion after appropriate notice or, if it should appear appropriate to do so, will grant the application on the basis of the record without formal hearing.

This notice will be served on Oscar F. Kraft & Co. and the Association forthwith and published in the FEDERAL REGISTER in the manner prescribed by the Federal Register Act not later than fifteen (15) days prior to March 19, 1951.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-2636; Filed, Feb. 26, 1951; 8:46 a. m.]

[File No. 54-130]

INTERSTATE POWER CO. AND OGDEN CORP.

ORDER APPROVING ADJUSTED COMPROMISE PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of February A. D. 1951.

The Commission on June 30, 1949, having approved a plan ("Compromise Plan"), pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("the act"), providing for the distribution of escrowed cash and shares of new common stock of Interstate Power Company ("Interstate") among the holders of Interstate's formerly outstanding debentures, public holders of Interstate's formerly outstanding preferred stock, and Ogden Corporation ("Ogden"), Interstate's former parent, which Compromise Plan was thereafter approved by the United States District Court for the District of Delaware; and

The Commission, with the approval of the United States District Court, having held reconvened hearings on the question whether there has been a change in circumstances so as to make the allocations proposed in the Compromise Plan no longer fair and equitable; and

A petition ("Adjusted Compromise Plan") having been filed in which all participants joined, proposing adjustments of the allocations contained in the Compromise Plan; and

The Commission having considered the record and having issued its findings and opinion this day finding the Compromise Plan no longer fair and equitable to public preferred stockholders and finding that the Adjusted Compromise Plan is fair and equitable to the persons affected thereby;

It is ordered, Pursuant to section 11 (e) of the act, that the Adjusted Compromise Plan be, and it hereby is, approved, subject to the conditions specified in Rule U-24 and to the following additional terms and conditions:

(1) This order shall not be operative to authorize the consummation of the proposed transactions until the United States District Court for the District of Delaware, upon application thereto, shall have entered an order enforcing the Adjusted Compromise Plan; and

(2) Jurisdiction is generally reserved to the Commission to entertain such further proceedings, to make such supplemental findings and to take such further actions as it may deem appropriate in connection with the Adjusted Compromise Plan, the transactions incident thereto and the consummation thereof, and jurisdiction is specifically reserved to consider and determine the reasonableness and allocation of all fees and expenses incurred and to be incurred in connection with the Adjusted Compromise Plan and the transactions incident thereto.

It is further ordered, That the request to be heard filed by Interstate Power Company on the limited issue presented in its request be, and it hereby is, denied, without prejudice to its right to be heard on such issue in an appropriate subsequent proceeding.

It is further ordered and recited, That the distribution of common stock of Interstate held in escrow by the Chemical Bank & Trust Company and the distribution of cash held in escrow by the Manufacturers Trust Company as provided in the Adjusted Compromise Plan, are necessary and appropriate to effectuate the provisions of section 11 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-2638; Filed, Feb. 26, 1951; 8:47 a. m.]

[File No. 811-67]

AMERICAN CITIES POWER AND LIGHT CORP.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of February A. D. 1951.

Notice is hereby given that American Cities Power and Light Corporation ("Applicant") located at No. 60 Broadway, New York, New York, has filed an application pursuant to section 8 (f) of the Investment Company Act of 1940 for an order of the Commission declaring that it has ceased to be an investment company within the meaning of the act.

The following facts appear from the application:

Applicant, incorporated under the laws of the State of Virginia, is a closed-end, non-diversified management investment company registered under the act. It has outstanding 2,504,110 shares of Class B stock, of which 2,044,547 shares, or approximately 81.6 percent, are held by Carl J. Austrian and Robert G. Butcher as Trustees of Central States Electric Corporation now in process of reorganization under Chapter X of the Bankruptcy Act in the United States District Court for the Eastern District of Virginia.

Pursuant to the laws of Virginia, the stockholders at a special meeting on September 20, 1950, consented to the dissolution of applicant and approved and adopted the plan of dissolution of the board of directors dated August 29, 1950. The State Corporation Commission of Virginia issued a certificate of dissolution on September 20, 1950.

Three distributions in liquidation, aggregating $15,974,870.99 based on average book amounts, in shares of portfolio securities and cash were made to stockholders of applicant on October 18 and November 22, 1950, and February 2, 1951. The remaining assets, after making adequate provision for the obligations of

applicant, consisting of cash and Government securities in the amount of $1,437,476.03, will be distributed to stockholders upon deposit of their certificates representing shares of Class B stock with an agent to be appointed in New York City. Unclaimed funds and securities from all distributions will be deposited irrevocably in trust with a bank or trust company doing business in New York City for the respective accounts of the stockholders entitled thereto or their respective successors, legal representatives or assignees.

All interested persons are referred to said application which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application may be issued by the Commission at any time after March 12, 1951, unless prior thereto a hearing on the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than March 9, 1951, at 5:30 p. m., e. s. t., submit in writing to the Commission his views or any additional fact bearing upon the application or the desirability of a hearing thereon or request the Commission, in writing, that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-2637; Filed, Feb. 26, 1951; 8:46 a. m.]

[File No. 812-718]

AERONAUTICAL SECURITIES, INC., AND BULLOCK FUND LTD.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of February A. D. 1951.

Notice is hereby given that Aeronautical Securities, Incorporated (hereinafter sometimes referred to as "Aeronautical") and Bullock Fund Ltd. (hereinafter sometimes referred to as "Bullock"), registered investment companies, have filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of section 17 (a) of the act the proposed transfer of the assets of Aeronautical to Bullock in exchange for shares of capital stock of Bullock equal to the net value of the assets of Aeronautical, after deducting liabilities assumed by Bullock.

Aeronautical and Bullock are open-end management investment companies with principal offices in the City of New York. Aeronautical is a non-diversified company and Bullock is diversified. Calvin Bullock, a joint stock association, is the investment adviser and principal underwriter for both. The principal officers of Aeronautical are also officers of Bullock and, in addition, each officer of Aeronautical and Bullock is also an officer or employee of Calvin Bullock, the joint stock association.[1] Because of these affiliations the proposed transaction might be deemed to come within the prohibition of section 17 (a) (1) and (2) of the act.[2] Accordingly, Aeronautical and Bullock have filed the instant application for an order of the Commission exempting the proposed transaction from the provisions of section 17 (a).[3]

Aeronautical and Bullock have entered into a contract, dated February 9, 1951, pursuant to which Aeronautical has agreed, subject to the requisite approval of its stockholders, to transfer to Bullock and Bullock has agreed to acquire from Aeronautical all the assets of Aeronautical in exchange for shares of capital stock of Bullock having a net asset value equal to the net value of the assets of Aeronautical, after deducting liabilities of Aeronautical assumed by Bullock. Assets and liabilities in each case will be determined as of the close of business on the day on which stockholders of Aeronautical approve the transaction. The shares of Bullock received by Aeronautical will be distributed pro rata to stockholders of Aeronautical, and Aeronautical will be dissolved.

As of December 31, 1950, Aeronautical had net assets amounting to $1,369,026 which was equivalent to $7.78 per share. The assets consisted of shares of airline companies, aircraft accessory companies and aircraft manufacturers. It has been the policy of Aeronautical to invest its funds ordinarily in securities of companies engaged in air transportation or wholly or partly in the manufacture of aircraft, parts or accessories. As of November 30, 1950, Bullock had net assets of $8,672,659 which was equivalent to $21.05 per share. The assets consisted for the most part of common stocks of different industries. It is the policy of Bullock not to concentrate investments in securities of any particular industry. Bullock has net assets and gross investment income over six times as large as Aeronautical. Its expenses are only three times as large.

The reason for the proposed transfer is that the redemption of Aeronautical shares has far exceeded the sale of new shares. During 1949 the number of shares of Aeronautical outstanding decreased by 17.6 percent and during 1950 by 20.5 percent. During 1950 the ratio of redemptions to sales was 5.22 to 1. The redemptions of Aeronautical shares have in recent months exceeded sales of new shares at a rate which in the opinion of management, if continued, would produce an annual operating expense per share of capital stock outstanding more than is justified for investment company stocks of this type.

All interested persons are referred to said application which is on file in the offices of the Commission for a detailed statement of the proposed transactions and the matters of fact and law asserted.

Notice is further given that an order granting the application in whole or in part and upon such condition as the Commission may deem necessary or appropriate, may be issued by the Commission on or at any time after March 12, 1951, unless prior thereto a hearing upon the application is ordered by this Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may submit to the Commission in writing, not later than March 9, 1951, at 5:30 p. m., his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or a request to the Commission that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-2639; Filed, Feb. 26, 1951; 8:47 a. m.]

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[1] However, no director of either company is also a director of the other.

[2] Section 17 (a) (1) and (2) provide as follows:

It shall be unlawful for any affiliated person or promoter of or principal underwriter for a registered investment company (other than a company of the character described in section 12 (d) (3) (A) and (B), or any affiliated person of such a person, promoter, or principal underwriter, acting as principal—

(1) Knowingly to sell any security or other property to such registered company or to any company controlled by such registered company, unless such sale involves solely (A) securities of which the buyer is the issuer, (B) securities of which the seller is the issuer and which are part of a general offering to the holders of a class of its securities, or (C) securities deposited with the trustee of a unit investment trust or periodic payment plan by the depositor thereof;

(2) Knowingly to purchase from such registered company, or from any company controlled by such registered company, any security or other property (except securities of which the seller is the issuer);

[3] However, Aeronautical and Bullock disclaim the applicability of section 17 (a) of the act to the proposed transaction.

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 17333]

HELEN AND SUYE DANIEL

In re: Stock and bank account owned by Helen Daniel and Suye Daniel. F-39-5571-A-1: E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Helen Daniel and Suye Daniel, whose last known address is 103 Naka-Machi, 1 Chome, Shinohara, Nada-Ku, Kobe, Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. Twenty (20) shares of $25.00 par value common capital stock of The American Tobacco Company, 111 Fifth Avenue, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by a certificate numbered BB174663 for twenty (20) shares of class B common, $25.00 par value stock of the aforesaid company, registered in the name of Hurley & Company, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with all declared and unpaid dividends thereon, and all rights to receive a new certificate for $25.00 par value common stock of the aforesaid company,

b. Three (3) shares of no par value common capital stock of Radio Corporation of America, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered $\frac{FR}{C}$–19037, registered in the name of Hurley & Company, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,

c. Thirty (30) shares of no par value common capital stock of United States Steel Corporation, 71 Broadway, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced in part by a certificate numbered P6186, for ten shares of stock of said Corporation issued prior to the three for one stock split of June 1949, registered in the name of Hurley & Company, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,

d. Seventy (70) shares of $20.00 par value common capital stock of The National City Bank of New York, 55 Wall Street, New York, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered T. C. O. 3670 for thirty (30) shares of $12.50 par value common stock, a certificate numbered C. O. 24323 for twenty (20) shares of $12.50 par value common stock, and a certificate numbered C. O. 10988 for twenty (20) shares of $12.50 par value common stock, registered in the name of Hurley & Company, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with all declared and unpaid dividends thereon, and all rights to receive a new certificate for $20.00 par value common stock of the aforesaid bank, and

e. That certain debt or other obligation owing to Helen Daniel and Suye Daniel, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a compound interest account, account number A43175, entitled "Mrs. Suye Daniel and/or Miss Helen Daniel," maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Helen Daniel and Suye Daniel, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-2612; Filed, Feb. 23, 1951; 8:53 a. m.]

[Vesting Order 17317]

O. DIETSCHE

In re: Securities and cash owned by O. Dietsche. F-63-3695.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That O. Dietsche, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One thousand one hundred seventy (1,170) shares of $5.00 capital common stock of General Public Utilities Corporation, 67 Broad Street, New York 4, New York, a corporation organized under the laws of the State of New York, evidenced by certificates numbered C 78420, C 78421, C 79393, C 79394, C 79468, C 79469, C 79470, C 79471, C 79472, C 79473, C 79474, for one hundred (100) shares each, and certificate numbered F 92645 for seventy (70) shares, registered in the name of Bosworth and Co., together with all declared and unpaid dividends thereon,

b. One hundred seventeen (117) shares of $4.50 capital common stock of South Carolina Electric and Gas Company, 328 Main Street, Columbia, South Carolina, a corporation organized under the laws of the State of South Carolina, evidenced by certificates numbered TNO 1377, TNO 1378, TNO 1379, TNO 1381, for twenty (20) shares each, and certificate numbered TNO 11284 for thirty-seven (37) shares, registered in the name of Bosworth and Co., together with all declared and unpaid dividends thereon, and

c. That certain debt or other obligation of American Electric Securities Corporation, 20 Pine Street, New York 5, New York, representing deposits held by the aforesaid corporation on behalf of Max A. Schmucki, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by O. Dietsche, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 6, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-2611; Filed, Feb. 23, 1951; 8:53 a. m.]

[Vesting Order 17321]

JAPANESE NATIONALS

In re: Debt owing to Japanese nationals, whose names are unknown. F-39-1339.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the property described in subparagraph 3 hereof is being held by The

Chase National Bank of the City of New York, 18 Pine Street, New York, New York, for the account of Nationale Handelsbank N. V., Kobe Agency, Japan;

2. That although the names of the owners of the property described in subparagraph 3 hereof are not available, such persons, who, if individuals, there is reasonable cause to believe are residents of Japan and, if partnerships, corporations, associations, or other organizations, there is reasonable cause to believe are organized under the laws of, or have or, on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Japan, are nationals of a designated enemy country (Japan);

3. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in the amount of $883.85 as of December 1, 1950, presently on deposit in an account entitled "Nationale Handelsbank N. V., Kobe Agency, Japan", and representing cover for demand drafts numbered, issued by and in the amounts as follows:

Draft No.	Amount	Issuing office
1636	$20.80	Tokyo.
D155239	23.43	Do.
D155242	23.43	Do.
D155243	23.43	Do.
36103	117.18	Do.
36139	23.43	Do.
36282	23.00	Do.
36283	23.00	Do.
36352	23.00	Do.
36346	23.00	Do.
39027	510.95	Kobe.
36947	30.09	Tokyo.

and any and all rights to demand, enforce and collect the aforesaid debt or other obligation,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons referred to in subparagraph 2 hereof, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 6, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-2646; Filed, Feb. 26, 1951; 8:49 a. m.]

[Vesting Order 17348]

LUDWIG HOBELSBERGER

In re: Rights of the domiciliary personal representatives et al. of Ludwig Hobelsberger, deceased, under insurance contract. File No. F-28-24487-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Ludwig Hobelsberger, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 4 271 444C, issued by the Metropolitan Life Insurance Company, New York, New York, to Ludwig Hobelsberger, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Ludwig Hobelsberger, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-2651; Filed, Feb. 26, 1951; 8:50 a. m.]

[Vesting Order 17340]

BRUNO BRUHN ET AL.

In re: Rights of Bruno Bruhn et al. under insurance contract. File No. F-28-22273-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bruno Bruhn and Eva O. Bruhn, who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, have been residents of Germany, are nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under an annuity contract evidenced by policy No. 1975859, issued by The Travelers Insurance Company, Hartford, Connecticut, to Bruno Bruhn, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Bruno Bruhn or Eva O. Bruhn, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the said Bruno Bruhn and Eva O. Bruhn be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-2648; Filed, Feb. 26, 1951; 8:49 a. m.]

[Vesting Order 17344]

SUTEMATSU ENDO

In re: Rights of Sutematsu Endo under contract of insurance. File No. D-39-15222-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sutematsu Endo, whose last known address is Japan, is a resident of

Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Supplementary Contract No. 91095, issued in lieu of Policy No. 8335652 by the New York Life Insurance Company, New York, New York, to Sutematsu Endo, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-2649; Filed, Feb. 26, 1951; 8:49 a. m.]

[Vesting Order 17322]

LEIPZIG OVERLAND POWER COMPANIES

In re: Account owned by Leipzig Overland Power Companies. F-28-2501.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Leipzig Overland Power Companies, the last known address of which is Leipzig, Germany, are corporations, partnerships, associations or other business organizations, organized under the laws of Germany, and which have or, since the effective date of Executive Order 8389, as amended, have had their principal place of business in Leipzig, Germany, and are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Brown Brothers Harriman & Co., 59 Wall Street, New York 5, New York, arising out of coupon deposit account entitled "Leipzig Overland Power Companies 1st Closed Mortgage 6½ percent 20 Yr. S. F. G. B. due May 1, 1946", maintained at the office of the aforesaid Brown Brothers Harriman & Co., together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Leipzig Overland Electric Power Companies, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 6, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-2647; Filed, Feb. 26, 1951; 8:49 a. m.]

[Vesting Order 17346]

KIKU HAMANO

In re: Rights of the domiciliary personal representatives et al. of Kiku Hamano, deceased under contracts of insurance. Files F-39-4826-H-1 and H-4.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Julius Hamano, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Kiku Hamano, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under contracts of insurance evidenced by policies numbered 68521302 and 93296833 issued by the Metropolitan Life Insurance Company, New York, New York, to Kiku Hamano, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Julius Hamano or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Kiku Hamano, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Kiku Hamano are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-2650; Filed, Feb. 26, 1951; 8:50 a. m.]

[Vesting Order 17356]

ALOYS STOCKMANN

In re: Rights of Aloys Stockmann under insurance contract. File No. F-28-24359-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Aloys Stockmann, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due to Aloys Stockmann under a contract of insurance evidenced by policy No. 3 951 973 A, issued by the Metropolitan Life Insurance Company, New York, New York, to Aloys Stockmann, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on

account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-2652; Filed, Feb. 26, 1951; 8:50 a. m.]

[Vesting Order 17378]

KARL LOERKY

In re: Stock owned by Karl Loerky. F-28-31224.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Loerky, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Four thousand four-hundred (4,400) shares of $1.00 par value common capital stock of North European Oil Corporation, a corporation organized under the laws of the State of Delaware, evidenced by the certificates listed below, registered in the names of the persons listed below in the amounts appearing opposite each name as follows:

Certificate Nos.	Number of shares	Form of registration
24485/86	[1] 100	Blair S. Williams & Co.
27510/39	[1] 100	Karl Loerky.
28844/45	[1] 100	Halle & Stiegletz.
21915	100	Ward Gruver & Co.
11081/82	[1] 100	Arthur C. Veach.
17506/07	[1] 100	Herbert L. Nichols, Jr.
16248/52	[1] 100	Do.

[1] Each.

said certificates presently in the custody of the Department of State, Division of Protective Services, 515 Twenty-second Street NW., Washington, D. C., together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-2654; Filed, Feb. 26, 1951; 8:50 a. m.]

[Vesting Order 17385]

ERICH WINDELS

In re: Stock owned by Erich Windels. D-28-512.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigating, it is hereby found:

1. That Erich Windels, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit A, presently in the custody of the Department of State, Division of Protective Services, 515 Twenty-second Street NW., Washington, D. C., together with all declared and unpaid dividends thereon, and

b. One (1) Warrant numbered H42676 for twenty-five (25) shares of no par value, common capital stock of International Petroleum Company, Limited, presently in the custody of the Department of State, Division of Protective Services, 515 Twenty-second Street NW., Washington, D. C., together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of issuer	Certificate Nos.	Number of shares	Par value	Type of stock	Registered owner
Hollinger Consolidated Gold Mines.	A 75361	100	$5.00	Non-assessable capital	Herr Erich Windels.
Wright-Hargreaves Mines, Ltd.	TO-37120	150	No par	do	Do.
	TO 35162	150	No par	do	Do.
Buffalo Ankerite, Gold Mines, Ltd.	13048	50	1.00	do	Do.
Noranda Mines, Ltd	MB 49263	45	No par	do	Erich Windels.

[F. R. Doc. 51-2656; Filed, Feb. 26, 1951; 8:51 a. m.]